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# Washington, Thursday, November 9, 1944

# Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I-Farm Credit Administration

PART 19—FEES AND CHARGES ON LAND BANK AND COMMISSIONER LOANS

APPLICATION AND CLOSED LOAN FEES

Part 19 of Chapter I, Title 6, Code of Federal Regulations is hereby amended by revoking §§ 19.329 and 19.329–50, by adding § 19.325, and by amending §§ 19.320, 19.324 and 19.330 to read as follows:

§ 19.320 Applications; association fees. Associations may collect an association application fee of not more than \$5.00 in connection with each application; Provided, however, That the amount of any such fee shall not exceed 1 percent of the amount of the loan applied for. If the property offered as security is subject to any outstanding mortgage loan or loans held by the bank, the Corporation, or both, regardless of the amount stated in the application, the application fee shall be based on an amount applied for which includes the unmatured principal, as of the date of the application, of such outstanding mortgage loan or loans. The application fee may be collected at the time the application is filed. It may be retained by the association regardless of whether the loan is rejected or closed as a new, additional, or refunding bank loan, Commissioner loan, or joint bank and Commissioner loan; Provided, however, That if no association appraisal is made after a fee provided for in this paragraph has been collected, the amount of such fee shall be refunded.

§ 19.324 Closed loans; association fees. Except as provided in § 19.325, when a bank loan is closed, associations may collect a closed loan fee in an amount which, when added to the association application fee already collected, will equal but not exceed 1 percent of the amount of the bank loan closed.

§ 19.325 Additional and refunding loans; association fees. Where, upon the basis of an application in which there is offered as security property which is mortgaged, in whole or in part, to a bank, the Corporation, or both, a bank loan is closed through an association which endorsed the outstanding bank loan, the association may, whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding loan, collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount which represents other than unmatured principal of the outstanding bank loan as of the date of the application. Where, upon the basis of such an application, a bank loan is closed through a different association than that which endorsed the outstanding bank loan, or through any association if only a loan held by the Corporation was outstanding, the association may collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount for which it endorses the bank loan or bank purchase money mortgage.

\$ 19.330 Additional and refunding loans; bank fees. In connection with applications for additional or refunding loans, whether or not additional security is offered, the bank may require that a fee of not more than \$10.00 be submitted with the application, and if a loan is closed, the bank may deduct from the proceeds an additional fee amounting to \$1.00 for each \$1.000.00, or fraction thereof, by which the amount of new money loaned exceeds \$5,000.00.

(Sec. 13 "Ninth", 17 (d), 39 Stat. 372, 375, secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 831 (d), 723 (e), 1816 (e))

Sections 19.329 and 19.329-50 are hereby revoked.

[SEAL] W. E. RHEA, Land Bank Commissioner.

[F. R. Doc. 44-17131; Filed, Nov. 8, 1944; 11:15 a. m.]

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### NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.
Book 3: Titles 10-17, with index.
Book 4: Titles 18-25, with index.
Book 5, Part 1: Title 26, Parts 2-178.
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# TITLE 7-AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.-Q. 52]

PART 301-DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE

Introductory note. This revision of the quarantine and regulations is made primarily for the purpose of extending the regulated areas to include recently found infestations of the pink bollworm in southern Texas; to classify as heavily infested certain counties that were here-

tofore considered as lightly infested; to place additional restrictions, at point of origin or destination, on the movement of cottonseed produced in heavily in-fested areas to designated oil mills located within contiguous lightly infested areas (§ 301.52-4 (c)); and to remove restrictions with regard to the production of okra in lightly infested areas. The newly added area is comprised of the Texas counties of Aransas, Atascosa, Bee, Caldwell, Gonzales, Guadalupe, Hays, Karnes, Refugio, San Patricio, Wilson, and those parts of McMullen and Live Oak Counties not heretofore under regulation. Although no pink bollworms were found at gins or in the cotton fields of Aransas, Atascosa, Gonzales, Guad-alupe, Hays, and McMullen Counties, it is necessary to include them because they are part of a continuous cotton area without natural barriers in which there is intercounty ginning.

The requirement for the certification

The requirement for the certification of cotton linters produced from sterilized cottonseed in authorized oil mills for interstate movement from all regulated areas has been incorporated in the revised regulations as paragraph (b) of

§ 301.52-4.

Determination of the Secretary of Agriculture. The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of infestations of the pink bollworm (Pectinophora gossypiella Saund.), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the puba revision of Notice of Quarantine § 301.52, and regulations supplemental thereto, governing the movement of carriers of the pink bollworm from any of the above-named States into or through any other State or Territory or District of the United States, §§ 301.52-1 to 301.52-12, inclusive, [B. E. P. Q.-Q. 52, effective May 1, 1944].

The Secretary has determined that it is necessary to extend the regulated areas in Texas, to classify as heavily infested area certain counties heretofore designated as lightly infested, to make certain revisions with respect to the interstate movement of okra and cotton-seed, and to make other modifications.

Order of the Secretary of Agriculture. Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161), the subpart entitled "Pink Bollworm" of Part 301 [B. E. P. Q.—Q. 52, as revised] is hereby further revised to read as follows:

SUBPART-PINK BOLLWORM

Sec.
301.52 Notice of quarantine.
301.52-1 Definitions.
301.52-2 Regulated areas.
301.52-3 Articles the interstate

52-3 Articles the interstate movement of which is restricted or prohibited.

301.52-4 Conditions governing the issuance of certificates.

301.52-5 Limited permits.

301.52-6 Restricted articles originating outside the regulated area

301.52-7 Cleaning or treating requirements of other articles when contaminated with cotton or products originating within a regulated area.

301.52-8 Dealer-carrier permits. 301.52-9 Cancelation of certificates.

301.52-10 Alternate treatments to be prescribed by the Chief of the Bureau.

301.52-11 General certification provisions and marking and labeling requirements.

301.52-12 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.52 to 301.52-12, inclusive, issued under sec. 8, 39 Stat. 1165, 44 Stat. 250: 7 U.S.C. 1940 ed. 161.

§ 301.52 Notice of quarantine. Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161) the Secretary of Agriculture quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of the pink bollworm. Hereafter (1) okra, including all parts of the plant; (2) cotton, wild cotton, including all parts of either cotton or wild cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment; shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from the States of Arizona, Louisiana, New Mexico, or Texas into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the regulations supplemental hereto and amendments thereof: Provided, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, within the quarantined States, as are now or may hereafter be designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the pink bollworm, except that any such limitation shall be conditioned upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement under provisions of the Federal quarantine regulations, currently existing, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: Provided further, That

whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

## Meaning of Terms

§301.52-1. Definitions. For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

(a) Pink bollworm. The insect known as the pink bollworm of cotton (Pectinophora gossypiella Saund.), in any

stage of development.

(b) Cotton and cotton products. Cotton and wild cotton plants of the genera Gossypium and Thurberia, and products of these plants, including seed cotton; cottonseed; cotton lint and linters, and all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; gin waste; and all other parts of such plants.

(c) Seed cotton. All forms of cotton lint from which the seed has not been

separated.

(d) Lint. All forms of unmanufactured cotton fiber except linters.

(e) Linters. All forms of unmanufactured cotton fiber separated from cotton seed after the lint has been removed.

(f) Certificate. An approved document issued by an inspector evidencing the apparent freedom of restricted arti-

cles from the pest.

(g) Limited permit. An approved document issued by an inspector to allow movement of noncertified, restricted articles to or from authorized and designated gins, oil mills, and processing or manufacturing plants. Limited permits will cover all interstate movements of restricted articles while in the process of being made eligible for certification.

(h) Dealer-carrier permit. An approved document issued to persons or firms engaged in ginning, manufacturing, or processing restricted articles for subsequent interstate movement from regulated areas, and to persons or firms moving restricted articles interstate from

regulated areas.

(i) Infestation or infested area. In-

fested by pink bollworm,

(j) Moved or movement. Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from any regulated area interstate to points outside thereof.

(k) Inspector. An authorized inspector of the United States Department of Agriculture.

(1) Okra (Hibiscus esculentus). Okra plants and products of the plants including seed and edible and dry pods.

## Areas Under Regulation

§ 301.52-2 Regulated areas. The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

### HEAVILY INFESTED AREAS

Texas. Counties of Brewster, Cameron, Culberson, Jeff Davis, Hidalgo, Hudspeth, Presidio, Starr, Terrell, Willacy, and that part of El Paso County lying east of an imaginary line extending due north from the Texas-Mexico boundary to the point near U. S. Highway 80, where secs. 4, 5, 8 and 9, T. 29 S., R. 4 E. have a common corner; thence due north to the Texas-New Mexico boundary.

### LIGHTLY INFESTED AREAS

Arizona. Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County 2 except that part lying vest of the western boundary line of

range 8 east.

Louisiana. The entire parishes of Cameron and Calcasieu and that part of Jefferson Davis Parish lying south of the township line between Tps. 8 and 9 S.

New Mexico. Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, Socorro, and Valencia.

Texas. Counties of Andrews, Aransas, Atas-

cosa, Bee, Brazoria, Brooks, Caldwell, Calhoun, Concho, Crane, Dawson, Dimmit, Duval, Ector, Frio, Gaines, Glasscock, Gonzales, Guadalupe, Hays, Howard, Irion, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, a Salle, Live Oak, Loving, Martin, Matagorda, Maverick, McMullen, Midland, Mitchell, Nueces, Pecos, Reeves, Refugio, San Patricio, Schleicher, Sterling, Terry, Tom Green, Up-ton, Ward, Webb, Wilson, Winkler, Yoakum, Zapata, and Zavala; that part of Coke County lying southwest of and including the rightof-way of Highway No. 87; that part of El Paso County lying west of an imaginary line extending due north from the Texas-Mexico boundary to the point near U.S. Highway 80 where secs. 4, 5, 8 and 9, T. 29 S., R. 4 E. have a common corner; thence due north to the Texas-New Mexico boundary; and that part of *Jackson County* lying south of a line beginning at a point where East Carancahua Creek crosses the Jackson-Matagorda County line; thence southwestward along East Carancahua Creek and Carancahua Bay to the southeast corner of a 2,408-acre tract belonging to L. Ward out of the James Pierce survey; thence west along the south line of the above-described Ward tract to the east line of the James Morgan survey; thence north along the east line of the James Morgan survey about 1,660 varas to the northeast corner of the 1,943-acre league out of the James Morgan survey owned by the Mrs. Addie Coats' Estate; thence west along the north line of the above-described league owned by the Mrs. Addie Coats' Estate to the left (east) bank of the Lavaca River; thence southward along the left bank of the Lavaca River and Lavaca Bay to the Calhoun-Jackson County line (that part of the line from the East Carancahua Creek and Carancahua Bay to the Lavaca River being the northern boundary of the B. F. Ward School District (No. 15) of Jackson County).

<sup>&</sup>lt;sup>1</sup> Part of the lightly infested area in Arizona is regulated on account of the Thur-beria weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

# Restricted Articles

§ 301.52-3 Articles the interstate movement of which is restricted or prohibited—(a) Articles prohibited movement. The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products (other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake) is prohibited.

(b) Articles the interstate movement of which is limited—(1) Seed cotton. The interstate movement of seed cotton will be allowed only from lightly infested area to contiguous regulated area for the purpose of ginning for which move-

ment no permit is required.

(2) Cottonseed produced in heavily infested area. The interstate movement of cottonseed produced within a heavily infested area to points outside such area will be limited to contiguous lightly infested area under the conditions provided in § 301.52-4 (c) (2) either for planting therein or for processing in designated authorized oil mills.

(c) Articles authorized interstate movement. Cotton lint and linters, either baled or unbaled, cottonseed produced in lightly infested area, cottonseed hulls, meal, and cake and okra may be moved interstate (1) from regulated area to points outside thereof, or (2) from regulated area to noncontiguous regulated area, or (3) from heavily infested to contiguous lightly infested area, only when accompanied by a certificate or permit as hereinafter provided. No certificates or permits are required for the interstate movement of articles listed in this paragraph from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested

## Conditions of Issuance of Certificates or Permits

§ 301.52-4 Conditions governing the issuance of certificates-(a) Cotton lint. A certificate may be issued for the interstate movement of baled cotton lint originating in a regulated area when said cotton lint has been produced in an approved gin and has been given any one of the following treatments under the supervision of an inspector and subsequently protected from contamination: (1) Passed in bat form between approved heavy steel rollers set not more than 1/64 inch apart; or (2) given approved vacuum fumigation; or (3) given standard or high density compression: Provided. That lint cotton from Presidio and Brewster Counties, Tex. (part of the heavily infested area) may be moved interstate only when treated as specified under above subparagraphs (1) or (2) of this paragraph.

(b) Cotton linters. Certificates may be issued for the interstate movement of linters from any regulated area when produced from sterilized seed in an approved oil mill, and subsequently pro-

tected from contamination.
(c) Cottonseed—(1) From lightly infested area. A certificate may be issued

for the interstate movement of cottonseed originating in a lightly infested area, to any destination, when produced in an approved gin within the area after said seed has been heated to a temperature of 150° F. for a minimum period of 30 seconds, as a part of the continuous process of ginning, under the supervision of an inspector, and subsequently protected from contamination: Provided, That heat treatment incidental to certification may be accomplished at plants designated by the Chief of the Bureau of Entomology and Plant Quarantine as provided in § 301.52–5.

(2) From heavily injested area. Limited permits may be issued for interstate movement of cottonseed originating in heavily infested area after the seed has been treated under supervision in a manner prescribed by the Chief of the Bureau of Entomology and Plant Quarantine, and when it is consigned only to contiguous lightly infested area for plant-

ing therein.

All other cottonseed originating in a heavily infested area will be authorized interstate movement under a limited permit only to contiguous lightly infested area for processing therein in an oil mill designated and authorized by authority of the Chief of the Bureau of Entomology and Plant Quarantine under the following conditions: When the seed has been treated and protected as provided hereinabove for the lightly infested area, and (i) when given a second heat treatment at a temperature of 155° F. for a minimum period of 60 seconds under the supervision of an inspector, at a plant operated separate and apart from the gin or gins which applied the initial heat treatment as a part of the continuous process of ginning, and when the seed has been subsequently protected from contamination; or (ii) when the seed is given, under the supervision of an inspector, the foregoing second heat treatment at the designated oil mill, on arrival. The cars or other vehicles conveying the seed to the designated oil mills must be cleaned and sterilized, under the supervision of an inspector, immediately after unloading. This applies to seed given the second heat treatment either under (i) or (ii) hereinabove prescribed. (d) Cottonseed hulls, cake, and meal.

Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector, and subsequently pro-

tected from contamination.

(e) Samples of cotton lint and linters. A certificate may be issued for the interstate movement of samples of lint cotton and linters (approximately 1½ pounds) originating in a regulated area without restrictions other than that the bales of lint cotton or linters from which the samples have been taken have been produced in an approved gin or oil mill and subsequently protected from contamination.

(f) Okra. Certificates may be issued for the interstate movement of edible okra produced in a heavily infested area

under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine. Okra produced in a lightly infested area under such conditions as to render it free from infestation may move interstate without treatment or certification.

## Permits for Limited Movement

§ 301.52-5 Limited permits. Limited permits will be issued for the movement of noncertified, restricted articles to such gins, oil mills, or processing or manufacturing plants as may be authorized and designated by authority of the Chief of the Bureau of Entomology and Plant Quarantine for manufacturing, processing, or treatment incidental to preparing such products for certification. As a condition of such authorization and designation, operators of gins, oil mills, or manufacturing or processing plants must agree in writing to handle restricted articles as to segration of processed and nonprocessed products, efficient functioning of processing equipment, disposition of waste, use of uncontaminated containers of processed products, prevention of contamination of processed products, and the maintenance of identity of regulated and nonregulated products necessary to prevent the spread of the pink bollworm; and to maintain such other sanitary safeguards and restrictions against the establishment and spread of infestation as may be required by the inspector.

## Articles Originating in Nonregulated Area

§ 301.52–6 Restricted articles originating outside the regulated area. Restricted articles originating outside the regulated area may be certified for interstate movement from a regulated area without processing, treatment, or sterilization: Provided, That while in the regulated area these products have been handled and stored in such a manner as to maintain identity, and as to prevent infestation, or contamination with other restricted articles originating in the regulated area.

## Cleaning of Cars, Containers, and Other Commodities

§ 301.52-7 Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area. When contaminated with cotton or cotton products originating within a regulated area, railway cars, trucks, or other vehicles, cotton bagging, or other containers of cotton, cotton processing ma-chinery, farm household goods, farm equipment, farm products, or any other articles shall not be moved interstate from a regulated area until freed from such contamination to the satisfaction of an inspector, after which cleaning or treatment no certificate or permit will be required except for cotton bagging, or other containers of cotton, and cotton processing machinery.

### Dealer-Carrier Permits

§ 301.52-8 Dealer - carrier permits. As a condition of issuance of certificates or limited permits for the interstate movement of restricted articles handled by persons or firms engaged in purchasing, assembling, ginning, processing, or carrying such restricted articles originating or stored in regulated areas, such persons or firms shall make application for a dealer-carrier permit to the Bureau of Entomology and Plant Quarantine, San Antonio 6, Tex., and agree to maintain an accurate record of receipts and sales, shipments or services, when so required (which record shall be available at all times for examination by an inspector), and agree to carry out any and all conditions, treatments, precautions, and sanitary measures which may be required.

### Certificates May Be Canceled

§ 301.52-9 Cencelation of certificates. Any certificates, limited permits, or dealer-carrier permits issued under these regulations may be withdrawn or canceled and further certificates or permits refused, whenever, in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of the pink bollworm.

# Treatment Methods Subject to Change

§ 301.52-10 Alternate treatments to be prescribed by the Chief of the Bureau. When more effective methods of treatment, processing, or sterilization shall have been developed or when methods of treatment, processing, or sterilization as stipulated in the regulations hereof are found unsatisfactory by the Chief of the Bureau of Entomology and Plant Quarantine, he is authorized to alter them or substitute other requirements.

### Certification and Marking

§ 301.52-11 General certification provisions and marking and labeling requirements. To obtain certificates or limited permits under these regulations application shall be made either to the local inspector or to the Bureau of Entomology and Plant Quarantine, Federal Building, San Aantonio 6, Tex.

Certificates or permits required under these regulations shall be securely attached to the outside of each container of restricted articles, or, in the case of carlot or bulk shipments by freight, to the waybills or other shipping papers which accompany the shipment. In the case of movement by road vehicle, such certificate or permit shall accompany the vehicle. Each container of restricted articles so moved shall bear such marking and labeling as may be necessary, in the judgment of the inspector, to identify the material.

The United States Department of Agriculture shall not be responsible for any costs incident to inspection or treatment, other than the services of inspectors.

Articles for Experimental and Scientific Purposes

§ 301.52-12 Shipments for experimental and scientific purposes. Products and articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

This revision of the quarantine and regulations shall be effective on and after November 9, 1944, and shall supersede the quarantine and regulations promulgated April 27, 1944 (9 F.R. 4524).

Done at Washington, D. C., this 7th day of November 1944.

Witness my hand and the seal of the United States Department of Agricul-

-CLAUDE R. WICKARD. [SEAL] Secretary of Agriculture.

APPENDIX-FIELD HEADQUARTERS AND STATIONS

Applications for certificates or permits may be made to the field project leader, addressing Pink Bollworm Control, Bureau of Entomology and Plant Quarantine, P. O. Box 798, or Room 571 Federal Building (Telephone F-7141-275), San Antonio 6, Tex., or the nearest inspector.

Inspectors may be reached by addressing Pink Bollworm Inspector, Bureau of Etomology and Plant Quarantine, at the following field stations:

## ARIZONA

## Address, Town and Telephone

- P. O. Box 205, 405 North Morrison Street, Casa Grande, 274.
- P. O. Box 262, 114 East Avenue, Glendale,
- 202 Security Building, Phoenix, 4-4062. P. O. Box 246, 309 Post Office Building, Saf-132.
- P. O. Box 924, 311 Post Office Building, Tucson. 1-960.

### LOUISIANA

P.O. Box 106, Jennings. Contact the State Entomologist, Mr. W. E. Anderson, P. O. Box 4153, Capitol Station, Baton Rouge 4, La.

### NEW MEXICO

P. O. Box 784, 210 North Canyon Street, Carlsbad, 513-W.

P. O. Box 849, Las Cruces, 298,

### TEXAS

P. O. Box 482, Beilen & Charles Building, Alice, 970.

Room 2, Bay City Bank & Trust Building, Bay City, 595.

General Delivery, Beeville.

P. O. Box 269, 507 Petroleum Building, Big Spring, 1564.
P. O. Box 148, Brownfield.

843 S. E. Elizabeth Street, Brownsville, 327. U. S. Courthouse, Corpus Christi, 306 2-7613.

P. O. Box 432, 207 West Harriman Street. Edinburg, 18, 11 U. S. Courthouse, El Paso, Main 3295.

P. O. Box 27, Fabens, 54.

P. O. Box 592, 423 Embee Building, Harlingen, 616.

P. O. Box 67, Post Office Building, Lamesa, 138-J.

P. O. Box 141, 206 Franklin Building,

Laredo, 930. P. O. Box 1615, 209 Federal Building, Lub-

bock, 5001. P. O. Box 1094, 1308 Chicago Avenue, McAllen, 663.

P. O. Box 485, Mercedes.

P. O. Box 188, 306 Federal Building, Pecos,

P. O. Box 264, Port Lavaca. P. O. Box 928, Presidio, 14.

P. O. Box 706, 253 South Seventh Street. Raymondville 258

P. O. Box 141, Rio Grande City.

Room 3, State National Bank Building, Robstown, 127.

P. O. Box 650, 507 Rust Building, San Angelo, 6338. P. O. Box 1963, 636 South Sam Houston

Street, San Benito, 730. General Delivery, Sinton, 175

P. O. Box 426, 1071/2 Fourth Street, Weslaco.

[F. R. Doc. 44-17129; Filed, Nov. 8, 1944; 11:14 a. m.]

[B. E. P. Q. 493, Fourth Revision] PART 301-DOMESTIC QUARANTINE NOTICES PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Introductory note. Under the pink bollworm quarantine regulations which are being revised simultaneously with the issuance of these instructions, the interstate movement of lint cotton from regulated area is conditioned upon its production in an approved gin and on the application of one of three designated types of treatment (§ 301.52-4 (a)). In a number of counties in northwestern Texas and adjacent area in New Mexico, the pink bollworm occurs only from time to time, several years elapsing in a given county between findings of infestation. It is therefore considered safe, under present conditions, to lift the treatment requirements on baled cotton lint originating in such lightly infested counties, when it is ginned and protected as required in these instructions.

§ 301.52-4 (b) Administrative instructions designating the area in which baled cotton lint may be moved from certain lightly infested areas in New Mexico and Texas without treatment. Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 52, on account of the pink bollworm), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52-4, notice is hereby given that certificates may be issued for the interstate movement of baled cotton lint, without treatment, from the following-designated counties when the lint has been produced in an authorized gin and subsequently protected from contamination:

New Mexico: Lea County.

Texas: Counties of Andrews, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, Midland, Mitchell, Schleicher, Sterling, Terry, Tom Green, Yoakum, and the regulated part of Coke County.

<sup>2</sup> See Appendix for list of field stations.

These instructions supersede those in circular B. E. P. Q., 493, third revision, dated April 12, 1944 (9 F.R. 4523), and shall become effective November 9, 1944.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.52; 7 U.S.C. 1940 ed. 161)

Done at Washington, D. C., this 26th day of October 1944.

P. N. ANNAND, [SEAL] Chief, Bureau of Entomology, and Plant Quarantine.

[F. R. Doc. 44-17130; Filed, Nov. 8, 1944; 11:15 a. m.]

# Chapter XI-War Food Administration (Distribution Orders)

[WFO 63 1]

PART 1596-FOOD IMPORTS

RESTRICTIONS ON IMPORTS OF CERTAIN FOODS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported foods for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- Food imports-(a) Definitions. For the purposes of this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:
- (1) "Consignee" means the person to whom a food is consigned at the time of importation.
- (2) "Director" means the Director of Distribution, War Food Administration, (3) "Food" means any item or com-
- modity listed from time to time in attached Appendix A as being subject to this order.
- (4) "Governing date" with respect to any food means the date when such food first became subject to WFO 63.
- (5) "Import" means to transport in any manner into the continental United States, Puerto Rico, or the Virgin Islands of the United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands of the United States and shipments in bond into the continental United States, Puerto Rico, or the Virgin Islands of the United States for transshipment to Canada, Mexico, or any other foreign country.
- (6) "In transit" means that food (i) is afloat, (ii) has had an on-board ocean bill of lading actually issued with respect to it, or (iii) has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States, Puerto Rico, or the Virgin Islands of the United States.

(7) "Owner" of any food means any person who has any property interest in such food except a person whose interest is held solely as security for the payment of money.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(b) Restrictions on imports-(1) General restriction. No person, except as authorized in writing by the Director, shall purchase for import, receive or offer to receive on consignment for import or make any contract or other arrangement for the importing of, any food listed in Appendix A hereof after the governing date. The foregoing restrictions shall apply to the importation of any food listed in Appendix A, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such food.

In the issuance of authorizations, the Director shall act in accordance with the standards and guides set forth in paragraph (e) hereof.

(2) Application for authorization. Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the food to be imported, or agent of any of them, shall make application therefor on Form WPB-1041 or such other form as may be issued for this purpose by the Director, addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref: WFO 63. Unless otherwise expressly permitted, such authorization shall apply only to the particular food and shipment mentioned therein and to the persons and their agents concerned with such shipment. Such authorizations shall not be assignable or transferable either in whole or in part, except as authorized in writing by the Director.

(3) Restrictions on financing. bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any food subject to this order, unless such bank or person either has received a copy of the authorization by the Director under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraphs (b) (4) and (b) (5).

(4) Exceptions. Unless otherwise directed by the Director the restrictions set forth in this paragraph (b) shall not

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, United States Army, or any other United States Governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation: or

(ii) To food of which any United States Governmental department, agency, or corporation is the owner at the time of importation, or to any food which the owner at the time of importation had purchased or otherwise acquired from any United States Governmental department, agency or corporation; or

(ifi) To food which on the governing date was in transit; or

(iv) To food consigned or imported as a sample where the value of each consignment or shipment is less than \$25.00;

(v) To food consigned as a gift or imported for personal use where the value of each consignment or shipment is less than \$100.00; or

(vi) To food consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To food grown, produced, or manufactured in the continental United States, and shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which is now returned as rejected by the prospective purchaser; or

(viii) To food shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in

Canada: or

(ix) To food which is located in, and which has been grown, produced or manufactured in Canada, Mexico, Guatemala, or El Salvador and transported therefrom into continental United States overland, by air, or by inland waterway. This exception shall not, however, extend to food which is marked with an asterisk (\*) in Appendix A, attached.

(5) Imports into Puerto Rico and the Virgin Islands. (i) The restrictions of

this order:

(a) Shall not apply to inter-island shipments of food between Puerto Rico and the Virgin Islands of the United States;

(b) Shall not apply to imports of food into Puerto Rico or the Virgin Islands of the United States from the continental United States;

(c) Shall apply to any shipment of food listed in Appendix A which originates in a foreign country and simply passes through the continental United States en route to Puerto Rico or the Virgin Islands of the United States; and

(d) Except as provided in (c) immediately above, shall apply to imports into Puerto Rico or the Virgin Islands of the United States only with respect to food which is marked with a double asterisk (\*\*) in Appendix A.

(ii) This order shall not affect any regulations now or hereafter issued by any governmental authority covering shipments of food from continental United States to Puerto Rico and the Virgin Islands of the United States.

(c) Restrictions after importation. Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any food which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order; but all such transactions shall be subject to all applicable provisions of the regulations, orders and directions of the War Food Administration which now or hereafter may be in effect with respect to such food.

(d) Change of commodities listed in Appendix A. The Director may from time to time add to or remove commodi-

<sup>1</sup> See also War Production Board Order M-63, this issue,

ties from Appendix A; Provided, That in so doing he shall follow the standards and guides set forth in paragraph (e) below.

(e) Standards and guides. In the issuance of authorizations, and in the addition or removal of commodities from Appendix A hereof, the Director shall follow these standards and guides: (1) he shall be satisfied that in the absence of such action the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of materials or facilities for defense or for private account or for export; (2) he shall take into consideration the following factors: the allocation, if any, of such food by the Combined Food Board; the effect of the importation of such food on the procurement of strategic materials; the availability of shipping facilities for the importation of such food; and (3) in the issuance of authorizations, the Director shall allocate the authorizations granted by him on a fair and equitable basis among different groups of applicants and among applicants within the same group.

(f) Records and reports—(1) Reports on customs entry. No food which is imported after the governing date, including food imported by or for the account of the Foreign Economic Administration. U. S. Commercial Company, Commodity Credit Corporation, United States Army or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file in duplicate with the entry Form WPB-1040 until December 1, 1944, and, after such date, Form WFO 63-1. The filing of such form a second time shall not be required upon any subsequent entry of such food through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any food from bonded custody of the United States Bureau of Customs, regardless of the date when such food was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref.: WFO-63.

(2) Records and other reports. The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of the provisions of this order.

(g) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref: WFO-63.

(h) Violations. Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making deliveries of, or using any food covered by this order which is subject to allocations or priority control by the War Food Administrator. In addition, any person who willfully violates any provision of this order is guilty of a crime, and may be prosecuted under any or all applicable laws, including the act of June 28, 1940, as amended by the act of May 31, 1941, and Title III of the Second War Powers Act, 1942. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order. The Director may direct the disposition and use of any food which is imported without authorization as required by paragraph (b).

M) Unexpired authorizations under M-63. Authorizations issued by the War Production Board under General Imports Order M-63 for foods subject to this order, shall be deemed valid under this order until their respective expiration

(j) Delegation of authority. The administration of this order and the powers vested in the War Food Administrator insofar as such powers relate to the administration of this order are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) Effect on liability of removal of food from order. The removal of any food from this order shall not be construed to affect in any way any liability for violations of the order which accrued or were incurred prior to the date of removal.

(1) Effective date. This order shall become effective 12:01 a. m., e. w. t., November 13, 1944.

Note: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of November 1944.

ASHLEY SELLERS, Assistant War Food Administrator.

APPENDIX A-ITEMS SUBJECT TO WFO 63

The numbers listed after the following foods are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Foods are included in the list to the extent that they are covered by the commodity numbers listed below. no commodity number is listed, the description given shall control.

Food and Commerce Import Class No. (Governing date November 13, 1944, unless otherwise indicated)

\*,\*\*Alewives and other pickled or salted fish, n. s. p. f., 0073.300-0073.900 inc. \*\*Anchovies, canned, not in oil, or in oil

and other substances, 0067.000.

\*\*Anchovies, in oil or in oil and other substances, 0064.200, 0064.300.

Apples, dried, desiccated, or evaporated,

\*See paragraph (b) (4) (ix).
\*\*See paragraph (b) (5) (1).

Apricots, dried, desiccated, or evaporated, 1330.120.

Argols, tartar and wine lees and crude calcium tartrate, 8329.000, 8330.000, 8380.013. Babassu nuts and kernels, 2239.130, 2239.150.

Babassu nut oil, 2257.100.

Barley, 1020.000.

Beans, dried, except fava beans, N. S. C. \*\*Beef and veal, pickled or cured, 0029.000. \*\*Beef, canned, including corned beef, 0028.000

\*\*Beef, fresh, chilled or frozen, 0018.000. \*\*Beef and mutton tallow-includes oleo stock, 0036.600.

Beef and mutton tallow (inedible)-includes oleo stock, 0815.600.

Blood, dried n. s. p. f., 8505.000. Bones, ground, ash, dust, meal and flour, 0911.300.

Brazil or cream nuts, 1356.000, 1357.000.

Butter, 0044.000.

Cacao butter (cocoa butter), 1420,000. Cassia buds, unground, 1533,000.

Cassia, cassia vera, unground, 1533.100. Cassia, cassia buds and cassia vera, ground, 1550.070.

Cheese, 0045.100-0046.990 inc. Chickens and guineas:

\*\*Dead, fresh, chilled or frozen, dressed or undressed, 0025.400.

Live, N. S. C.

Prepared or preserved, N. S. C.

 Chickpeas and garbanzos, dried, 1200.000. \*Chicle, crude and refined or advanced, 2131.000, 2189.300.

Cinnamon and chips of, unground, 1526,000. Cinnamon and chips of, ground, 1550.030. Cocoa beans or cacao beans, 1501.300.

Cocoa powder, unsweetened and sweetened, 1502.100, 1502.300, 1502.900

Coconuts, in the shell, 1351.000.

Coconut meat, shredded and desiccated or similarly prepared, 1379.000.

Coconut oil, 2242.500.

\*, \*\* Cod, haddock, hake, pollock, and cusk, pickled or salted (except in oil, etc., and in airtight containers, weighing, with contents, over 15 lbs. each), 0069.000, 0069.200, 0069.900

\*Coffee, raw or green, roasted or processed, 1511.000, 1511.100.

Cohune nuts and kernels, N. S. C.

Cohune nut oil, N. S. C.

Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specially provided for, 2260.120. Copra, 2232.000.

\*\*Corn, 1031.000.

\*\*Corn, cracked, 1090.180.

Corn meal, flour, grits, and similar products, 1090.190. \*\*Corned beef hash, 1250.230.

Cottonseed oil, crude, refined, 1423.100. 1423.200.

Currants, dried, N. S. C. Dates, dried, N. S. C. Egg albumen, dried, 0094.000.

Egg albumen, frozen or otherwise prepared or preserved, n. s. p. f., 0095.000.

Eggs, (chicken) whole, in the shell,

0088.100.

Eggs, dried, 0090.000.

Eggs, frozen, or otherwise prepared or preserved, n. s. p. f., 0091.000.

Eggs of poultry other than chicken, whole, in the shell, 0088.500.

Egg yolks, dried, 0092.000. Egg yolks, frozen or otherwise prepared or preserved, n. s. p. f., 0093.000.

Fatty acids, not specially provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere speci-

Cottonseed oil, 2260,220, Linseed oil, 2260.210.

N. S. C .- No separate class or commodity number has been assigned for the food as described by the Department of Commerce, Statistical Classification of Imports.

Sovbean oil, 2260,230,

Other, not elsewhere specified, 2260.240.

Figs. dried, N. S. C.

Fish scrap and fish meal, 0976,000, 8509,700. \*Flaxseed (linseed), 2233.000.

Ginger root, unground, not preserved or candied, 1536.100.

Ginger root, ground, not preserved or candied, 1550.080.

Guano, 8504,000.
Gums, n. e. s., used in manufacturing chewing gum, N. S. C.

\*\*\*Herring (including sprats, pilchards, and anchovies), all types, 0070.000-0070.900 inc. \*\*Lamb, fresh, chilled or frozen, 0022.000.

\*\*Lard (including rendered pork fat), 0036.000.

\*\*Lard compounds and lard substitutes made from animal or vegetable oils and fats, 0036,100.

Leche caspi (including crude sorva gum), 2170,000.

Lentils, 1199.000. Linseed oil, and combinations and mixtures, in chief value of such oil, 2254.000.

Mace, unground, 1540.000.

Mace, ground, 1550.090. Mace, Bombay or wild, unground, 1549.200. Mace, Bombay or wild, ground, 1550.100.

\*\*Meats, canned, n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste), 0032.900.

Meat extracts, including fluid, 0096.000. Milk, condensed and evaporated, 0040.000, 0040.100, 0040.700.

Milk, skimmed, dried, 0041.100. Milk, whole dried, 0041.000.

Molasses and sugar sirup, 1630.480-1630.-990 inc.

\* Mutton, fresh, chilled or frozen, 0021.000. Neat's-foot oil and animal oils known as

neat's-foot stock, 0808.950. Nitrogenous material, n. s. p. f. (including hoof meal and horn meal), 8509.800.

Nutmegs, unground, 1539.000. Nutmegs, ground, 1550.110.

Oats, hulled and unhulled, 1041.000, 1041 .-100

\*\*Offal, edible, 0023.600.

Oil cake and oil cake meal:

\*Coconut or copra, 1111.000,

\*, \*\*Soybean, 1112.000, \*Cottonseed, 1114.000, \*Linseed, 1115.000. \*, \*\*Peanut, 1119.600. \*Hempseed, 1119.700.

\*Other, n. s. p. f., 1119.900. \*\*Oleo oil, 0036.200.

\*\*Oleo stearin, 0036.300.

Ouricury (uricury) nuts and kernels, 2239 .-

Ouricury (uricury) oil, inedible and edible, 2257.800, 2257.830.

Palm kernel oil, 2248.000.

Palm nut kernels, 2236.500.

Palm oil, 2243.000.

Peaches, dried, desiccated, or evaporated, 1330 620

Peanut (ground nut) oil, 1427.000. \*Peanuts, shelled or not shelled, 1367.000,

1368.000. dried, desiccated, or evaporated, Pears.

1330.670. dried, ripe and split, 1197.000,

1198.000. Pepper, black or white, unground, 1541.000,

1542,000. Pimento (allspice), unground, 1543.000, Pimento (allspice), ground, 1550.130. \*\*Pork:

Fresh or chilled, 0020.100. Frozen, 0020.500.

\*\*Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc., 0030.900, 0031.900.

N. S. C.-No separate class or commodity number has been assigned for the food as described by the Department of Commerce, Statistical Classification of Imports.

\*See paragraph (b) (4) (ix).
\*\*See paragraph (b) (5) (1).

Prunes, prunelles, and plums:

Dried, desiccated, or 1330.540. evaporated.

Otherwise prepared or preserved, n. s. p. f., 1330.550.

Made from seedless grapes, 1319.100.

Other, 1319.200. \*Rapeseed, 2237.000.

\*Rapeseed oil, denatured and not denatured, 2246.000, 2253.000. Rice

Paddy, 1051.000.

Uncleaned or brown rice, 1051.100.

Cleaned or milled rice, 1053.000.

Patna rice, cleaned, for use in canned soups, 1054.000.

meal, flour, polish and bran, 1059.100.

Broken, 1059.200. Rye, 1044.000.

\*\*Sardines in oil or in oil and other substances, 0063,200, 0063,300.

\*Sesame oil, edible and inedible, 1428.200, 2249 000

\*Sesame seed, 2234.000.

\*\*Soap (except Castile) and soap powder, 8712.300-8719.500 inc.

Sugar, cane, 1610.750-1610.000 inc. oil, edible and denatured. \*Sunflower

1421.000, 2247.000.

\*Sunflower seed, 2240.000.

\*Syrups and extracts for use in the manufacture of beverages, N. S. C.

Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.), 0975.000, 8509.600.

Tartaric acid, 8207.000. Tea, not specially provided for, 1521.000.

\*\*Tuna fish, in oil or oil and other substances, 0065.200.

Tung oil (China wood oil), 2241.000.

Turkeys:

\*\*Dead, fresh, chilled or frozen, dressed or undressed, 0024.000. Tive 0014,000.

Prepared or preserved, N. S. C. \*\*Veal, fresh, chilled or frozen, 0019.000.

[F. R. Doc. 44-17102; Filed, Nov. 8, 1944; 10:57 a. m.]

## TITLE 8-ALIENS AND NATIONALITY

Chapter II-Office of Alien Property Custodian

> [G. O. 11, Amdt. to Reg. 2] PART 503-GENERAL ORDERS

LICENSING TRANSACTIONS INVOLVING PAT-ENTS AND TRADEMARKS

Section 503.11-2 (a) (1), as amended, of Regulation No. 2, as amended, under General Order No. 11 is hereby amended to read as follows:

§ 503.11-2 Licensing transactions involving patents and trademarks. (a)

(1) The filing in the United States Patent Office of applications for letters patent and for trademark registration (except such applications received directly or indirectly from enemy nationals on or after November 17, 1942) and the prosecution in the United States Patent Office of applications for letters patent and for trademark registration in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of letters patent or trademark registration certificate granted

pursuant to any such application; Provided:

(i) That if the person filing or prosecuting any such application or acting as attorney or agent in connection therewith has any knowledge, information or belief concerning any instrument, agreement or understanding affecting title to. or granting any interest in, including licenses under, any such application, he may record under the provisions of pargraph (a) (2) hereof, the instrument, agreement or understanding, if it is in his possession or control and recordable, or, if he has such knowledge, information or belief and does not record the instrument, agreement or understanding, he shall, at the time of filing the application or the first paper filed therein in the United States Patent Office after the date of this amended regulation (unless a report on Form APC-13P or APC-13T has previously been filed with respect to such application), file directly with the Alien Property Custodian a report on Form APC-13P for patents or Form APC-13T for trademarks, setting forth under oath the information called for therein, except that such report need not be executed under oath in cases where the person reporting is an attorney or agent registered in the United States Patent Office, if such attorney or agent certifies that the statements made therein are true and complete to the best of his knowledge and belief;

(ii) That the person filing or prosecuting any such application shall notify the Patent Office in writing (unless he has already so notified the Patent Office) that the application is being filed and prosecuted pursuant to this amended regulation; and

(iii) That such filing, prosecution or receipt involves no communication, direct or indirect, to an enemy national,

And provided, further,

(iv) That nothing contained herein shall relieve any person executing any instrument under the authorization of paragraph (a) (2) of this regulation from the requirement of recording such instrument set forth in paragraph (a) (2) (i).

Executed at Washington, D. C., on November 6, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-17125; Filed, Nov. 8, 1944; 11:30 a. m.]

fG. O. 11. Reg. 61

PART 503-GENERAL ORDERS

LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

§ 503.11-6 Regulation No. 6 under General Order No. 11. For the purposes of General Order No. 11, a non-exclusive license under an application for patent, arising by virtue of an agreement validly entered into before the filing of such application (if such filing takes place after the date of this regulation), to any partnership, association, corporation or other organization which is organized under the laws of the United States, or any of them, or any resident of the

United States, shall not be considered to be a past or present interest of any foreign country or any national thereof in such patent application or in any patent issuing thereon.

Executed at Washington, D. C., on November 6, 1944.

[SEAL]

James E. Markham, Alien Property Custodian,

[F. R. Doc. 44-17126; Filed, Nov. 8, 1944; 11:30 a. m.]

# TITLE 32-NATIONAL DEFENSE

## Chapter IX-War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 6, as Amended Nov. 8, 1944]

DELIVERY OF CAPITAL EQUIPMENT AND JIGS, DIES AND FIXTURES

Direction 6 to Priorities Regulation 1 is amended to read as follows:

(a) The inventory restrictions stated in § 944.14 of Priorities Regulation 1 do not apply to items of capital equipment for which a person obtains a rating under Priorities Regulation 24, to jigs, dies and fixtures obtained pursuant to Direction 25 to CMP Regulation 5, or to capital equipment and jigs, dies and fixtures obtained without priorities assistance.

(b) Therefore, notwithstanding the provisions of § 944.14 of Priorities Regulation 1 and regardless of the inventory limitations in that regulation, a person may accept delivery of any such item of capital equipment or any such jig, die, or fixture.

Issued this 8th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17110; Filed, Nov. 8, 1944; 11:21 a.m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 12]

DATE ON WHICH PURCHASE ORDER IS RECEIVED

The following interpretation is issued with respect to Priorities Regulation 1:

Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in §944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such

specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1.

Issued this 8th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17109; Filed, Nov. 8, 1944; 11:21 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS 1

[General Imports Order M-63, as Amended Nov. 8, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 General Imports Order M-63—(a) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

<sup>1</sup> Certain food items formerly on Lists I, II, and III are now subject to import control in accordance with War Food Administration Order 63. (6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General

Imports Order M-63.

(b) Restrictions on imports of materials-(1) General restriction. No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) Authorization by War Production Board. Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) Restrictions on financing of imports. No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) Exceptions. Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise

See also War Food Order 63, this issue,

acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than \$100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than \$25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States;

or

(vii) [Deleted No. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico, or from one point in Canada to another

point in Canada.

(xi) To materials on List III which are located in, and are the growth, production, or manufacture of, and are transported into the Continental United States overland, by air, or by inland waterway from Canada, Mexico, Guatemala or El Salvador.

(c) Restrictions on disposition of List I material. Except as hereinafter specifically provided in paragraph (d) here-

(1) Restrictions upon owners and consignees. No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such

material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial stor-

age of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) Restrictions upon banks and persons similarly situated. No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before

the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the

provisions of this order.

(d) Permissible disposition of List I materials — (1) Transfer to govern-Nothing contained in mental agency. this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) Authorization by War Production Board. Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB-1039 (formerly PD-222A), which form shall be addressed to the War Production Board, Ref.: M-63, Washington 25, D. C.

(3) Exceptions. The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) Restrictions on disposition of List II or List III material. Unless otherwise

provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III; which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) Reports—(1) Reports on customs entry. No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 (formerly PD-222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stock-piling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) Other reports. All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War

Production Board.

(3) Exceptions. The provisions of this paragraph (f) shall not apply to materials imported and consigned as gifts for personal use by or to members of the Armed Services of the Unied States.

(g) Routing of communications. All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.
(h) Violations. Any person who wil-

(h) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assist-

ance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) Effect on liability of removal of material from order. The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

(k) Effective date. This amended order shall become effective November 13, 1944.

Issued this 8th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

### LIST I

Note: List I amended Nov. 8, 1944, effective Nov. 13, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Com-	
Material merce Import Class No.	
Agave manufactures and semi-	1
manufactures:	
Sisal cordage, including cables,	
tarred or untarred composed of 3 or more strands, each	
strand composed of 2 or more	
yarns	3
Carpet yarns of agave, dved or	٥
undyed	2
than sisal. N. S. C. 11/18/43	2
Cords and twines of agave fibers. N. S. C.   11/18/43	3
Fabrics woven of agave fibers N. S. C. 19/11/42	2
Other manufactures (including all products in whole or in part	
of agave fibers) N. S. C. 1/18/43 Brazilian pebble (quartz crystals),	3
Brazilian pebble (quartz crystals), unmanufactured	0
Brazilian pebble (quartz crystals)	2
manufactured and semimanu-	
factured in blanks, slabs, bars, etc. N. S. C. 10/6/42	2
Broomcorn 2936, 000 11/23/42	2
Chrome ore (Unromite) 6213, 100   #12/28/41	II.
6213, 300   <sup>2</sup> 12/28/41 6213, 500   <sup>2</sup> 12/28/41	
Cinchona bark or other bark from	
which quinine may be extracted 2201, 000 5/22/42 Feathers for beds (including goose	2
and duck feathers and down, and	
mixtures thereof, new and used) 0922, 200 8/28/43	3
Graphite or plumbago: Amorphous, natural (except	
of Mexican origin)   5720 100   4/8/49	2
Crystalline flake 5730, 500 12/28/41 Crystalline, crucible lump and	1
CHID Fraddite   5720 610 1 4/8/49	2
Crystalline, dust and other crystalline lump and chip	~
crystalline lump and chip graphite	0
Manganese ore (including ferrugi-	-
nous) or concentrates and man-	
ganiferrous iron ore, containing 35 percent and over of manganese 6211, 200 5/14/43	0
6211, 300   5/14/43	

### LIST I-Continued

Material	Com- merce Import Class No.	Govern- ing date
Pyrethrum or insect flowers.  Pyrethrum, or insect flowers, ad-	2202, 000	10/21/42
vanced in value or condition Red squill	2220, 310 2210, 650	10/21/42 10/21/42
Rotenone bearing roots (cubé root (timbo or barbasco) derris and		
tuba) crude and advanced	2210, 280	5/4/42
	2210, 300 2220, 360	5/4/42 5/4/42
	2220.370	5/4/42
Tantalum ore (tantalite)	6270, 400	4/8/42

<sup>1</sup> Moved from List II 4/28/43. <sup>2</sup> Moved from List II 5/14/43.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

### LIST II

Note: List II amended Nov. 8, 1944, effective Nov. 13, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C. 0369, 500	8/5/43 *6/28/43
Asbestos, unmanufactured (origi- nating in Rhodesia or Union of	***************************************	1112/10
South Africa)	5500, 010 5500, 020	1/13/42 1/13/42
	5500, 090 5500, 300	1/13/42 1/13/42
	5500, 500 5501, 000	1/13/42 1/13/42
	5501, 100 5501, 900	1/13/42 1/13/42
	5502, 100	1/13/42
Beryl ore or beryllium ore	2239, 150 6270, 000	4/8/42 5/4/42
Beryllium oxide, carbonate and other beryllium salts.	8380, 963	5/4/42
Bones, erude	0911, 200	57/2/42
Bristles, hog and pig	0917, 000 0979, 100	3 3/14/42 3 3/14/42
Brushes, n. s. p. f.: Paint brushes (including artists). Other (except toilet brushes and	9715, 100	39/23/43
hair pencils)  Cattle, ox, and calf tail hair in-	9715. 900	1 9/23/43
cluding switches	3696, 100	7/2/42
Coir yarn. Coir manufactures, other than pile mats, floor coverings, mattings,	3420.000	1 11/23/42
cete	N. S. C. 6401. 800	111/23/42 12/28/41
	6417. 100 6430. 000	3/14/42 3/14/42
Corundum in grains, or ground, pulverized or refined.	6418, 300	6/1/42
pulverized or refined Corundum ore	N. S. C. 5460, 000	5/22/42 5/22/42
Cotton varus and fabrics	CONTRACTOR OF THE PARTY OF THE	Constant.
Balloon fabric, type HH.	N.S.C. N.S.C.	8/21/42 8/21/42
Airplane cloth, type MM	N.S.C. N.S.C. N.S.C.	8/21/42 11/23/42
Decating apron labric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts		Sections
of 58's and finer	N.S.C. N.S.C.	11/23/42 11/23/42
Filter cloth	N. S. C. N. S. C.	11/23/42 11/23/42
Lithograph moleskin cloth Printers molleton	N. S. C.	11/23/42
Tracing cloth	3970, 000	8/21/42
Typewriter ribbon fabric	N.S.C.	8/21/42
See footnotes at end of table		9/16/44

### LIST II-Continued

Total Statement of the last	Materia)	Com- merce Import Class No.	Govern- ing date
ì	Diamonds, industrial (rough or		Bour.
ì	uncut, not advanced in con- dition or value by cleaving, splitting, cutting, boring, or		
	other process); Carbonado and ballas.	5952, 100	9/16/44
i	Bort (Glaziers' and engravers'	5952, 600	9/16/44
١	diamonds, not set, and min- ers' diamonds, n. e. s., and other industrial diamonds)		
1	Emetine and saits thereof	5952.700 N. S. C.	9/16/44 18/5/43
ı	Fish liver oil, n. e. s. (include hali- but-liver oil)	2220, 250	6 1/12/44
ı	Hair, curled	3698, 800	6/29/44
١	only) unmanufactured: Hackled including "line of hemp"	2002 000	s 9/11/42
	Not hackled	3263, 000 3263, 200 3263, 300	* 9/11/42 * 9/11/42 * 9/11/42
ı	Hides and skins: Buffalo hides, dry and wet	0203, C00	1/13/42
	Buffalo hides (India water buf-	0203, 100	1/13/42
١	falo, for use in rawhide articles) dry and wet.	0209, 000	9/16/44
	Cabretta skins or hair sheep skins	0209, 100 0235, 000	9/16/44 7/2/42 1/13/42
	Calf, dry and wet	0207, 000 0208, 000	1/13/42
	Cattle hides, dry and wet	0201, 000 0202, 000 0293, 100	1/13/42 1/13/42
	Deer: buck or doe. Goat and kid skins, dry and wet	0241, 000	*9/11/42 7/2/42 7/2/42
ì	Kip, dry and wet	0241, 000 0242, 000 0205, 000 0206, 000	1/13/42 1/13/42
i	Horse mane and tall hair, raw and drawn, including switches	3694, 000	2 3/14/42
	Inecac, crude and advanced in	3694. 160	3 3/14/42
	Iron and steel scrap, fit only for	2210, 450 2220, 170	1 1/18/43 1 1/18/43
i	remanufacture	6004, 000 6004, 100	€/1/42 6/1/42
	tured in whole or in part (dressed)	3410.010	3/5/43
i	tures (incl. all products in whole or in part of istle)	N.S.C.	11/23/42
	Istle or tampieo fiber, unmanufac- tured (including istle waste)	3405,000	3/14/42
	Jewels, for any movement, mech- anism, device or instrument dutiable under paragraphs 367		
Ì	or any meter or compass (Jewel		
	bearings)	9580, 000	1/12/44
	Sack Ciolin	3243, 000	6/10/43
1	Jute yarns or roving, single	3244, 000 3244, 100 3244, 200	6/10/43 6/10/43 6/10/43
7	Jute cordage, twine and twist of	3244, 300	6/10/43
	2 or more yarns twisted to- gether, size of single yarn or roving:		
	Not bleached, dyed or other- wise treated	3245, 200	6/10/43
		3245, 300 3245, 400 3245, 500	6/10/43 6/10/43 6/10/43
	Bleached, dyed or otherwise treated	3245, 220	6/10/43
		3245, 320 3245, 420	6/10/43
	Bagging for cotton, gunny cloth,	3245, 520	6/10/43
1	Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in		
ı	warp and name to the square		Con line
	inch, or jute or other vegetable fiber	3246, 000 3246, 100	6/10/43 6/10/43
	Burlaps and other woven fabrics wholly of jute, n. s. p. f	3247, 000	6/10/43
	Plain woven fabrics of jute, weighing less than 4 ounces per	3247, 200	6/10/43
	Woven fabrics of jute for pad-	3248, 000	6/10/43
	dings or interlinings exceeding 30 threads in warp and filling to the source inch, weighing		Bre Ge
1	to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248, 100	6/10/43
	per square yard	3248. 200	6/10/43
	Jute sliver Jute webbing, not exceeding 12 inches in width	3250, 000	6/10/43
17.	inches in width	3250. 700	6/10/43

13286	L	EDEKA	41
Last II—Continu	ued		
Material	Com- merce Import Class No.	Govern- ing date	
Jute and manufacturers—Con. Jute manufactures, n. s. p. f Jute bags or sacks.	3250, 900 3249, 000	6/10/43 4/2/43 4/2/43	N
Jute butts, unmanufactured Jute, unmanufactured Kapok Leather, unmanufactured:	3249, 100 3242, 000 3241, 000 3403, 000	10/6/42 10/6/42 10/6/42 7/2/42	TV.
Chamols leather	0335, 350 0335, 800 (0333, 000-	47/2/42 47/2/42	
Goatskin and kidskin leather	0333, 500 incl.	8 7/2/42	
(except vegetable-tanned)	0335, 400 0340, 800 0345, 200 0345, 300	8 7/2/42 8 7/2/42 8 7/2/42 8 7/2/42	
Leather made from hides or skins of cattle of the bovine	0300, 100- 0317, 900 inel.	6 7/2/42	I
Leather made from hides or skins of animals of the equine			I
species Rough tanned leather (incl. India-tanned): Vegetable-tanned goat and	N. S. C.	57/2/42	F
Sheepskins	0339, 000 0339, 100	1 7/2/42 1 7/2/42	000
ing shearlings and cabrettas): Leather for shoe purposes Glove and garment leather	0332, 000 0332, 100 0335, 300	4 7/2/42 4 7/2/42 4 7/2/42	
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms. Patent leather for the manufac-	N. S. C.	4 7/2/42	
ture of footwear. Grained, embossed, etc., or fancy leather.	N. S. C.	47/2/42	
fancy leather. Skivers, n. s. p. f. In the rough, in the white, crust or russet, partly fin- ished or finished	0345, 400 0335, 200	47/2/42 47/2/42	20 02
Other (except glove and gar-	N. S. C.	47/2/42	
ment)  Leather products made in whole or in part of bovine, equine. or goatskin leather:	0332, 500	47/2/42	
Aprons.  Belts, transmission.  Belts, designed to be worn on	N. S. C. N. S. C.	5/27/44 5/27/44	
Chaps, work Flat leather goods Footwear (including slippers)	N.S.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.C.	5/27/44 5/27/44 5/27/44 5/27/44	2
Furniture Garments Gloves, work Handbags and purses Harness Harness	N.S.C. N.S.C. N.S.C.	5/27/44 5/27/44 5/27/44 5/27/44 5/27/44	-
Hydraulic, packing, mechani- cal, and textile leather prod-		5/27/44	
Luggage and related articles (including suitcases, valises,	N.S.C. N.S.C.	5/27/44	
night bags, hatboxes, trunks and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other			
Made wholly or in part of	N.S.C.	8/5/43	
Made wholly or in part of equine leather	N.S.C.	5/27/44	
Made wholly or in part of goatskin leather	N. S. C.	5/27/44	
pistol holsters, and pistol belts. Saddles and saddlery Suspenders.	N.S.C. N.S.C. N.S.C.	5/27/44 5/27/44 5/27/44	1
Loofa (Luffa) sponges	N. S. C. 3409, 200	8/21/42 1/18/43	
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204, 100	7/21/42	
Mahogany logs Mahogany rough (not further manufactured than sawed)	4031, 000 4202, 100	7/2/42 7/21/42	1
Manila or abaca cordage, includ- ing cables, tarred or untarred.			1
composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 095 3417. 195	6/28/43 6/28/43	100
Manila or abaca fiber (except T grade tow). Manila or abaca tow (T grade only) Manila or abaca fiber manufactures	3402, 300 3402, 500	4/28/43 4/28/43	0
(incl. all manila or abaca prod- ucts)	N. S. C.	4/28/43	1

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LUST	11-0011	unucu

East H—Contin	ueu	
	Com-	
Material	merce Import Class No.	Govern- ing date
Meshta fiber	N. S. C.	10/6/42
um, and potassium	8380, 870	5/4/42
Mica	5560, 810 5560, 840	3/14/42 3/14/42
The state of the s	5560, 860	3/14/42
	5560, 890 5560, 910	3/14/42 3/14/42
	5560, 910 5560, 940 5560, 960	3/14/42
	5580 330	3/14/42 3/14/42 3/14/42
	5561, 000 5561, 300 5561, 400	3/14/42
	5561, 400	3/14/42 3/14/42
	5561.500	7/21/42
	5561, 600 5561, 900	3/14/42 3/14/42
Andrew Complete to	5564,000	3/14/42 3/14/42 1/18/43
Milkweed	5564, 000 5564, 200 N. S. C.	3/14/42 1/18/43
Molasses and sugar sirup	1640, 000	6.7/2/42
Pulpwood, except chipped pulp-	{4590, 000- 4595, 000	1/12/44
wood	incl.	CONTRACTOR OF
Punga fiberQuebracho extract	incl. N. S. C. 2344, 000	3/5/43
Quebracho wood	2305. 000	27/2/42 27/2/42
Quinine salts or alkaloids from cin- chona bark:		7.5
Quinine sulphate	8102, 000	8/5/43
Quinine alkaloid	8103, 200	3/5/43
quanine	8103.300	3/5/43
Cinchonidine and its salts	8103, 400 8103, 500	3/5/43 3/5/43
Quinidine and its saits	8103. 600	3/5/43
Totaquine and totaquine com-	N.S.C.	3/5/43
Shark-liver oil, including oil pro-	14.0.0.	0/0/20
duced from doghsh livers, n. s.	0808. 730	1/12/44
p. f Silk:		-
Cocoons	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun. Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	T-2	5081000
length, not twisted or spun	3799,000	10/21/42
the cocoon, or re-reeled, not		
wound, doubled, twisted, or advanced	3702 000	10/21/42
Silk waste	3702, 000 3704, 000 3702, 100	10/21/42
Wild silk or tussab	3702: 100	10/21/42
Silver: Ores, concentrates, and base bul-	11000	
lion, valuable chiefly for silver content	6910 500	7/21/42
Bullion, refined	6819, 500 6819, 600	7/21/42 7/21/42
Bullion, refined	6819, 800	7/21/42
silver sulphides	6819. 200	7/21/42
silver sulphides	N. S. C.	7/21/40
Compounds, mixtures and salts,	13. 5. 0.	7/21/42
valuable chiefly for suver con-	N.S.C.	7/21/42
Sisal and henequen, unmanufac-	11.6.0.	1/41/12
tured (avont flume tow and	NEG	1/18/43
bagasse waste)	N.S.C.	10/6/42
I ucca noer	N. S. C.	3/5/43
Zine blocks, pigs of stabs	0000. 200	14/40/11
Zine blocks, pigs or slabs  Moved from List I 1/8/44, Moved from List I 3/30/44	N. S. C. N. S. C. N. S. C. 6558, 200	12/28/41

- 1 Moved from List 1 1/8/44, 2 Moved from List 1 3/30/44. 2 Moved from List 1 3/30/44, 4 Moved from List 11 15/17/44, 8 Moved from List 11 11/13/44, 6 Moved from List III 11/13/44.
- N. S. C .- No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

Note: List III amended Nov. 8, 1944, effective Nov. 13, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are in-cluded in the list to the extent that they are 4/28/43 covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

LIST III-Continued

LIST III—Contin	ued	
THE RESERVE OF THE PARTY	Com-	
Material	merce	Govern-
	Import Class No.	ing date
		-
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)		F-U
processors' mill waste)	N.S.C.	8/5/43
waste not elsewhere specified on		-
this order Balata, Coquirana (crude and	N.S.C.	8/5/43
(wachord)	N.S.C.	5/27/44 3/5/43
Balata, Peruvian chicken-wire	N.S.C.	5/27/44
Balata, Massarunduba. Balata, Peruvian chicken-wire. Balata, Peruvian F. A. Q., white. Balata, not elsewhere specified on	and the same of the same of	3/5/43
the order. Bone black, bone char, and blood char	N.S.C.	10/1/44
Casein or lactarene	0990. 130 0943. 000	7/2/42
Congo gum copal	N. S. C. 3005, 000	7/2/42 1/12/44 7/2/42
Cotton linters (all grades)	3001, 000	7/2/42
	3001, 000 3003, 600 3003, 700 3003, 800	7/2/42 7/2/42
Cotton waste	3003. 800 3006. 350	7/2/42 7/2/42
Floor coverings: Pile mats and floor coverings of		1121
cocoa fiber (coir fiber)  Matting and articles of cocoa	3960.100	10/21/42
fiber (coir fiber) or rattan	3963, 000	10/21/42
Glue stock, not elsewhere specified.	0930, 900 0930, 800	8/5/43 7/2/42
Hide cuttings, raw Hide splits, limed, pickled or dried (suitable for manufacturing into		3079.750
leather)	N. S. C.	1/12/44
Horse, colt, and ass	0211. 100	7/2/42
	0211, 300 0212, 100	7/2/42 7/2/42
	0211, 300 0212, 100 0212, 200 0212, 300	7/2/42 7/2/42
Shearlings, dry and wet (except	0212, 500	7/2/42
close shorn skins with commer-	400	1005
cially worthless wool, ¼ inch and down)	N. S. C.	7/2/42
and down) Sheep and lamb skins, except shearlings, cabrettas, etc.		
Pickled skins, not split, no wool. Pickled fleshers, split, flesh side.	0234, 000	7/2/42
Pickled skivers, split, grain side. Other wooled (wool on) except	0234, 100 0234, 200	7/2/42 7/2/42
shearlings	0231. 500	7/2/42
Lignaloe oil or Bois de Rose Nitrates, Sodium and Potassium	2280, 270 8506, 000	7/2/42 7/2/42 7/2/42
	8527, 500 8527, 900	7/2/42 7/2/42
Pearl shells or mother-of-pearl shells, unmanufactured	0961, 000	8/5/43
Ramie fiber or China grass, un- manufactured	3409, 600	9/23/43
Sisal and henequen flume tow		NEW S
and bagasse waste	N.S.C.	1/18/43
(including mandoica flour)	1228, 000	7/2/42
Wool, apparel, 40's or coarser	3506, 000- 3509, 300 inc.	7/2/42
Wool, apparel, finer than 40's, not	3514.000 3525.000	7/2/42
Wool, apparel, finer than 44's1	3520.000	7/2/42
	3521.100 3521.200	7/2/42 7/2/42
	3521, 300 3522, 000	7/2/42 7/2/42
	3523, 100	7/2/42 7/2/42
	3523, 200 3523, 300	7/2/42
		7/2/42 7/2/42
	3527, 200 3527, 300	7/2/42 7/2/42
	3528, 000	7/2/42 7/2/42 7/2/42
	3527, 100 3527, 200 3527, 300 3528, 000 3529, 100 3529, 200 3529, 300	7/2/42 7/2/42
Wool apparel, (finer than 40's but		7/2/42
not finer than 44's)1	3513, 000 3514, 100 3514, 200 3514, 300	7/2/42 7/2/42 7/2/42
	3514. 200	7/2/42 7/2/42 7/2/42
	3524, 000	7/2/42
	3525, 200 3525, 300	7/2/42 7/2/42
Wool cornet	[3501.000- 3502.300	7/2/42
Wool, carpet	3502, 300 ine.	1/2/12
<sup>1</sup> Moved from List II 9/23/43. <sup>2</sup> Moved from List I 1/8/44.	3	

<sup>\*</sup> Moved from List I 3/30/44.

N. S. C .- No separate class or commodity number has been assigned for the material

as described by the Department of Commerce, Statistical Classification of Imports.

### INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; Provided, however, That List I materials which are imported in bond after July 2, 1942, can shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export ship-ment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

### INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to

a specified port and from thence by boat to a point within the continental United States. The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the ma terial is to be carried to the port of arrival in the continental United States by ship, the material must have been affoat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

## INTERPRETATION 8

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63 (Issued May 14, 1943.)

[F. R. Doc. 44-17106; Filed, Nov. 8, 1944; 11:21 a. m.]

### PART 1042-IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, Revocation]

Section 1042.2 Supplemental General Imports Order M-63-a is revoked, the subject matter being incorporated partly in General Imports Order M-63 as amended November 8, 1944, and partly in War Food Administration Order 63 issued November 8, 1944. This revocation does not affect any liabilities incurred under the order.

This revocation becomes effective on November 13, 1944.

Issued this 8th day of November 1944.

WAR PRODUCTION BOARD, J. JOSEPH WHELAN, Recording Secretary. Bv

[F. R. Doc. 44-17107; Filed, Nov. 8, 1944; 11:21 a. m.]

### PART 1042-IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-g, Revocation]

Section 1042.8 Supplemental General Imports Order M-63-g is revoked, the subject matter being incorporated in War Food Administration Order 63 issued November 8, 1944. This revocation does not affect any liabilities incurred under the order.

This revocation becomes effective on November 13. 1944.

Issued this 8th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17108; Filed, Nov. 8, 1944; 11:21 a. m.]

### Chapter XI-Office of Price Administration

PART 1305-ADMINISTRATION

[Supp. Order 94,1 Amdt. 2]

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplementary Order 94 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration. 19 F.R. 9415, 10636.

- 1. Section 4 (e) is added to read as follows:
- (e) Installation expenses. Where the Government agency sells a commodity "in place" or on an "installed basis", the expenses incurred by it in connection with the installation thereof may be added to the maximum price established under paragraphs (a) and (b) of this section.
- 2. Section 8 (a) (1) is added to read as follows:
- (1) Where the Government agency sells any used commodity "in place" or on an "installed basis", the expenses incurred by it in connection with the installation thereof may be included. The appropriate rate of depreciation set forth in the applicable regulation shall be deducted from such expenses.
- 3. Section 13 is amended to read as
- SEC. 13 Delegation to field offices. The Administrator, any regional administrator or any district director authorized by the appropriate regional administrator may issue special maximum prices and exemptions in the form of orders issued under sections 10 and 11 of this supplementary order.
- 4. Section 21 is added to read as follows:
- SEC. 21 Adjustable pricing. A Government agency may sell or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery.
- 5. In Appendix A, Part II, the paragraph following the word "General" is amended to read as follows:

General. Any scrap, used or waste materials or commodities otherwise subject to the General Maximum Price Regulation, except used airplanes powered by a single engine of not more than 500 horsepower.

- 6. Appendix A, Part II, Chemicals, drugs and paints, (4) is amended to read as follows:
- (4) Gum for naval stores and gum turpentine.
- 7. In Appendix B, part I, "RMPR 284—Western primary forest products -- x x" is deleted from the list of regulations falling under the classification of "Lumber."
- 8. In Appendix B, Part I, the following regulations are added to those listed under the classification of "Lumber":

MOT ONTO DAMPONIADOR OF T			
MPR 554-Red Cedar Poles			
and Piling	(1)	(1)	(1)
MPR 555-Western Poles and			
Piling	(1)	(1)	(1)
MPR 556-Railroad Ties and			
Wooden Mine Materials	(1)	(1)	(1)
MPR 558-Wooden Mine Ma-			
terials and Industrial Block-			
ing, Eastern	(1)	(1)	(1)
MPR 559-Eastern Poles and			
Piling	(1)	(1)	(1)
MPR 560-Cedar Poles and			
Piling	(1)	(1)	(1)

9. In Appendix D. Part II, the following regulation is added to those listed therein:

Regulation Number Short title Maximum Price Regu- Retail prices for lation No. 133. farm equipmen farm equipment.

This amendment shall become effective November 13, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17145; Filed, Nov. 8, 1944; 11:46 a. m.]

PART 1315-RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM-PONENT

IRO 1E.1 Amdt. 131

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 1E is amended in the following respects:

- 1. The definition of the word "tube" in section 2.1 is revoked.
- 2. Section 3.2 (d) is amended to read as follows:
- (1) No Board may issue a certificate authorizing the recapping of a tire with camelback.
- (2) No Board may issue a certificate for a new or used solid truck tire, used tractor tire, used implement tire or a new or used tube.
- 3. Section 6.7 (k) is amended to read as follows:
- (k) Transfer and use of non-rationed tires and tubes. (1) Any person may, without certificate or authorization, transfer, acquire, mount, use or change the physical location of the following tires and tubes:
  - (i) New or used solid truck tires.
  - (ii) Used tractor-implement tires.
  - (iii) New or used tubes.
- (2) A consumer may acquire industrial type tires for mounting and use on equipment only, without certificate or authorization.
- (3) A dealer or manufacturer may transfer industrial type tires to a dealer or consumer without certificate or authorization.
- (4) The transfer and acquisition of industrial type tires under this paragraph is subject in all cases to, and may be made only in accordance with, the certification requirements imposed by War Production Board Order R-1, as amended from time to time.

\*Copies may be obtained from the Office

of Price Administration.

18 F.R. 12434, 13920, 15378, 17566, 17223;
9 F.R. 727, 2893, 3031, 4743, 6231, 7502, 11002.

This amendment will become effective as of November 1, 1944.

Issued this 8th day of November 1944.

GERALD A. BARRETT, Acting Territorial Director, Territory of Hawail.

Approved:

JAMES P. DAVIS, Regional Administrator, Region IX.

[F. R. Doc. 44-17146; Filed, Nov. 8, 1944; 11:46 a. m.]

# PART 1346-BUILDING MATERIALS [MPR 546, Amdt. 1]

USED AND RECONDITIONED PLUMBING AND HEATING EQUIPMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 546 is amended in the following respects:

- 1. Section 3 (d) is revoked.
- 2. Section 6 (e) is amended to read as follows:
- (e) Imports. This regulation is not applicable to initial sales of used plumbing and heating equipment, including seconds or culls, which originate outside of and are imported into the Continental United States. Such initial sales and deliveries are governed by the Maximum Import Price Regulation. All subsequent sales, however, are subject to this regulation.
- 3. Section 7 (b) is amended to read as follows:
- (b) Unlisted items. The ceiling price for a sale at wholesale of any item of used plumbing and heating equipment covered by this regulation but not listed in the schedule (including boilers and boiler repair parts and automatic domestic hot water heaters which do not meet the requirements of reconditioning as set forth in section 4 (c) and 4 (d), respectively), regardless of the place of sale, shall be determined by deducting 66% percent from any manufacturer's list price in effect at the time of the sale for a new item of the same kind, shape and style. In the absence of any list price, the manufacturer's published suggested retail price, if published prior to March 1942, shall be considered as the list price.
- 4. Section 8 (b) is amended to read as follows:
- (b) Unlisted items. The ceiling price for a sale at retail of any item of used plumbing and heating equipment covered by this regulation but not listed in the schedule (including boilers and boiler repair parts and automatic domestic hot water heaters which do not meet the requirements of reconditioning as set forth in section 4 (c) and 4 (d), respectively), regardless of the place of sale,

shall be determined by deducting 45 percent from any manufacturer's list price in effect at the time of the sale for a new item of the same kind, shape, and style. In the absence of a list price, the manufacturer's published suggested retail price, if published prior to March 1942, shall be considered as the list price.

- 5. Section 10 (a) (2) is amended to read as follows:
- (2) How to determine the ceiling price for Type B reconditioned and guaranteed boilers and boiler repair parts. The ceiling price for a sale at retail for a Type B reconditioned and guaranteed boiler or boiler repair part (see section 4 (c) (3) for reconditioning steps and guarantees), regardless of the place of sale, is to be determined by deducting 35 percent from any manufacturer's maximum list price in effect at the time of sale for a new boiler or boiler part of the same kind, shape and style.

This amendment shall become effective November 13, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17147; Filed, Nov. 8, 1944; 11:47 a. m.]

> PART 1358-TOBACCO [MPR 260,1 Amdt. 10]

CIGARS, CIGAR CUTTINGS AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Fed-

eral Register.\*

Maximum Price Regulation 260 is amended in the following respects:

1. The introductory text of § 1358.101 is amended to read as follows:

On and after November 1, 1942, or the effective date of any amendment making a change in previously applicable maximum prices, regardless of any contract, agreement, lease or other obligation:

- 2. Section 1358.102 is amended to read as follows:
- § 1358.102 Maximum prices for domestic cigars-(a) Manufacturers' maximum prices for domestic cigars sold in March 1942. (1) To determine his maximum list price for any brand and size of domestic cigar sold in March 1942, a manufacturer shall first note from Column 1 of Appendix A his March 1942 stated retail price for that brand and size. He shall then ascertain from Column 2 of Appendix A the maximum retail price for that cigar and from Column 3 of Appendix A the maximum list price. If a manufacturer's March 1942 stated retail price does not appear in Column 1 of Appendix A, he shall determine the

<sup>&</sup>lt;sup>1</sup>7 F.R. 8997, 10255, 10475, 11113; 8 F.R. 1974, 2208, 4476; 9 F.R. 3037, 3710, 7060, 10583.

maximum list price and the maximum retail price under subparagraph (3) below.

(2) Any manufacturer may adopt, as the maximum retail price for a brand and size of domestic cigar of a March 1942 stated retail price listed in Column 1 of Appendix A, an amount less than that shown in Column 2 of Appendix A for that brand and size. In that event, if the adopted maximum retail price is stated in Column 2 of Appendix A, the manufacturer's maximum list price shall be the price stated in Column 3 of Appendix A corresponding to the adopted maximum retail price. If the adopted maximum retail price is not listed in Column 2, the manufacturer's maximum list price shall be the price stated in Column 3 for cigars of the nearest lower maximum retail price.

(3) Maximum prices of a brand and size of domestic cigars of a March 1942 stated retail price not shown in Column 1 of Appendix A shall be determined as

follows:

(i) The maximum retail price per cigar shall be ascertained by dividing the manufacturer's March 1942 stated retail price by the number of units to which it applied, and multiplying the resulting figure by the appropriate factor indicated below:

The maximum retail price per cigar thus obtained shall then be multiplied, if necessary, by the number of units to which the March 1942 stated retail price applied. If the manufacturer had alternative March 1942 stated retail prices for the brand and size of cigars to be priced, the lowest of the alternative prices shall be used. Fractions of a cent resulting in the manufacturer's calculation of maximum retail prices shall be adjusted as follows: If the fraction is less than 1/4 cent, the maximum retail price shall be reduced to the nearest full cent; if the fraction is 1/4 cent or more, but less than ½ cent, that price may be increased to the nearest half cent; if the fraction is 1/2 cent or more, but less than 3/4 cent. that price shall be reduced to the nearest half cent; if the fraction is 34 cent or more, that price may be increased to the nearest full cent.

(ii) The manufacturer's maximum list price per thousand cigars shall be:

(a) If the maximum retail price is less than 10¢ each, the amount ascertained by multiplying that maximum retail price per thousand cigars by .8; or

(b) If the maximum retail price is 10¢ each or more, but less than 15¢ each, the

amount ascertained by multiplying that maximum retail price per thousand eigars by .75; or

(c) If the maximum retail price is 15¢ each or more, the amount ascertained by multiplying that maximum retail price per thousand cigars by .77.

(4) To determine his maximum net selling price to purchasers of a particular class for a brand and size of domestic cigars priced under subparagraphs (1) and (2) or (3), the manufacturer shall deduct from his maximum list price for those cigars, his March 1942 customary discounts and allowances to purchasers

of that class.

(5) A manufacturer whose March 1942 list price for a brand and size of domestic cigars was a net selling price, subject only to discount for cash, shall determine his maximum net selling price for those cigars in the following manner:

(i) If the manufacturer had no March 1942 stated retail price for the brand and size of cigars, he shall apply to the Office of Price Administration in accordance with subparagraph (7) below. In all

other instances

(ii) He shall first determine the maximum retail price for the brand and size of cigars. If that price is a multiple unit price, he shall reduce it to a single unit price by dividing it by the number of units to which it applies.

(iii) He shall then divide the figure obtained at (ii) by his March 1942 stated retail price per unit for the brand and

size of cigars.

(iv) He shall then multiply his March 1942 net selling price (exclusive of cash discount) for the brand and size of cigars by the percentage obtained at (iii). The resulting figure is his maximum net selling price. His maximum list price for the brand and size of cigars shall be the amount determined in the manner provided above for cigars of the same maximum retail price.

(6) Maximum list prices determined under subparagraphs (1) and (2) and maximum net selling prices determined by reference thereto, are prices for packings of 50 cigars to an individual container. Maximum list prices determined under subparagraphs (3) and (5) are maximum prices for the manufacturer's customary March 1942 packing. Manufacturers shall allow their March 1942 customary packing differentials and may charge packing differentials not exceeding their customary differentials, if any, charged in March 1942.

(7) Any manufacturer who had no March 1942 stated retail price for a particular brand and size of domestic cigars sold in March 1942 shall apply to the Office of Price Administration, Tobacco Section, Washington, D. C., for determination of a maximum list price and a maximum retail price for those cigars. The application shall be signed by the manufacturer or by his duly authorized officer, member or agent and shall set

(i) The manufacturer's name and address, and if the manufacturer is not an individual, the name and title of the person signing the application in his behalf.

(ii) The brand and size of domestic cigar to be priced. Three samples of that cigar shall be furnished with the

application.

(iii) The manufacturer's March 1942 list price for the brand and size of cigars to be priced and his March 1942 customary discounts and allowances applicable to his sales of those cigars to his classes of purchasers.

After receipt of the application, the Price Administrator will, by order, establish a maximum list price and a maximum retail price for the brand and size of cigars, in line with the maximum list and maximum retail prices established by this regulation for comparable domestic cigars. Any such order may be revoked or modified by the Price Administrator at any time. Pending issuance of the order, the manufacturer may continue until January 1, 1945, to sell the cigars to be priced at his lawful maximum prices in effect on January 15, 1943, but may not change those maximum prices.

(8) The Price Administrator may, by order, adjust the maximum list and maximum retail prices established by this regulation for any brand and size of domestic cigars manufactured and sold by the manufacturer in March 1942, when it appears that those maximum prices are substantially out of line with the level of corresponding prices established by this regulation for comparable new domestic eigars. Applications for adjustment under this paragraph shall be made by letter to the Office of Price Administration, Tobacco Section, Washington, D. C., signed by the manufacturer or by his authorized officer, member or agent and setting forth:

(i) The manufacturer's name and address, and if the manufacturer is not an individual, the name and title of the person signing the application in his

behalf.

(ii) The brand and size of domestic cigars which are the subject of the application, and

(iii) The manufacturer's March 1942 list price and March 1942 stated retail price for those cigars. Three samples of that cigar shall be furnished with the application.

(iv) The facts on which the manufacturer relies to justify his request for adjustment, including OPA Form 635-2078 shown in Appendix D and completed for

the brand and size of cigars.

Adjustments may be granted or denied under this subparagraph in whole or in part, and orders granting or denying adjustments may be revoked or modified by the Price Administrator at any time. Pending issuance of an order granting an adjustment, the maximum list price and the maximum retail price otherwise established by this regulation shall apply to sales of the brand and size of cigars.

- (b) Manufacturers' maximum prices for new domestic cigars. (1) Regardless of previous authorization, any manufacturer who desires to continue, after November 12, 1944, to sell a new domestic cigar shall apply on or before December 1, 1944 to the Office of Price Administration, Tobacco Section, Washington, D. C. for an order establishing a maximum list and a maximum retail price for such cigar. Any manufacturer who desires to sell, after November 12, 1944, a new domestic cigar he did not sell between April 1, 1942 and November 13, 1944, shall, be fore selling the cigar, likewise apply to the Office of Price Administration for such order.
- (2) Applications under this paragraph shall be made in duplicate on OPA Form 635-2078 shown in Appendix D, or on copies of that form made by the manufacturer. Printed copies of that form may be obtained, on request, from the National Office or from any Regional or District Office of the Office of Price Administration. Three samples of the cigar to be priced shall be furnished with the application. Applications made on a form not completely filled out, unless accompanied by an adequate explanation of the reasons for each omission, shall not be deemed properly filed.

(3) If the application is properly filed, the Price Administrator will, by order, establish for the cigar that is the subject of the application, a maximum list and maximum retail price, in line with the level of corresponding prices established by this regulation for comparable domestic cigars. The order may likewise provide for maintenance of appropriate discounts, allowances and packing differentials. Any such order may be revoked or amended by the Price Administrator

at any time.

(4) Pending issuance of an order establishing such maximum prices, a manufacturer properly filing an application under (1) above with respect to a new domestic cigar for which maximum list and maximum retail prices have previously been authorized under this regulation, may continue until January 1, 1945, or the effective date of the order (whichever is earlier) to sell the cigar that is the subject of the application at his lawful maximum prices in effect on November 13, 1944. In all other instances, the manufacturer shall not sell the cigar which is the subject of the application until maximum list and maximum retail prices for sales of it are established by order issued under this

(5) All maximum prices authorized under former § 1358.102 (e) of this regulation, and orders issued thereunder establishing such maximum prices, are revoked effective January 1, 1945.

(c) Maintenance of manufacturers' average retail price ceilings. (1) A manufacturer of domestic cigars may sell any quantity of a particular brand and size

of domestic cigars, the maximum list and maximum retail prices of which are properly established under this regulation; Provided, That the weighted average retail price of all domestic cigars manufactured and sold (tax paid) by him during the three calendar months beginning January 1, 1945 or during each three calendar months' period thereafter, does not exceed his average retail price ceiling determined in accordance with subparagraph (2) or (3) below.

(2) Each manufacturer of domestic cigars shall determine his average retail price ceiling in the following manner:

(i) If he manufactured and sold domestic cigars during March 1942, the manufacturer shall establish his average retail price ceiling by completing OPA Form 635-2077, shown in Appendix E (or copies of that form made by the manufacturer), and filing the completed form. in duplicate, on or before December 1. 1944 with the Office of Price Administration, Tobacco Section, Washington, D. C. Printed copies of that form may be obtained, on request, from the National Office, or from any Regional or District Office of the Office of Price Administration. Completed forms will be acknowledged by the Office of Price Administration in writing within 90 days after their receipt. If the manufacturer had alternative March 1942 stated retail prices for a brand and size of domestic cigars sold by him in that month, the lowest of the alternative prices shall be used. If the manufacturer had no March 1942 stated retail price for a brand and size of domestic cigars sold by him in that month, he shall use as his March 1942 stated retail price for those cigars the amount ascertained by multiplying his March 1942 list price per thousand for them by the appropriate factor indicated below and dividing the resulting total by 1000.

per thousand \_\_\_\_\_\_ 1.33 \$114 per thousand or more\_\_\_\_\_ 1.30

In determining an average retail price ceiling under this subdivision, the manufacturer shall disregard brands and sizes of domestic cigars manufactured and sold by him in the first half of the calendar year 1943, but not manufactured and sold by him in March 1942.

(ii) If the manufacturer did not manufacture and sell domestic cigars during

March 1942, and

(a) If he manufactures domestic cigars in one factory or in factories located entirely within a single Internal Revenue collection district, he shall note from Column 2 of Appendix G, the average retail price specified for that Internal Revenue collection district and his average retail price ceiling shall be the amount thus ascertained; or

(b) If he manufactures domestic cigars in factories located in more than one Internal Revenue collection district, he shall note from Column 2 of Appendix G, the average retail prices specified for each such collection district and his average retail price ceiling shall be the lowest of the amounts thus ascertained.

(c) A manufacturer determining his average retail price ceiling under (a) or (b) above shall on or before December 1, 1944, or before his first sale of domestic cigars manufactured by him (whichever is later) report the average retail price ceiling thus determined to the Office of Price Administration, Tobacco Section, Washington, D. C. The report shall be made in duplicate by letter signed by the manufacturer or his duly authorized agent, showing the Internal Revenue collection district in which each of his factories is located and the computation of his average retail price ceiling. A report so filed will be acknowledged by the Office of Price Administration in writing within 90 days after its receipt.

(iii) An average retail price ceiling determined and reported in the manner prescribed by this paragraph, or as corrected for clerical errors by the Office of Price Administration, or by the manufacturer with the consent of the Office of Price Administration, shall be the manufacturer's average retail price ceiling unless subsequently adjusted in accordance

with this regulation.

(3) The Price Administrator may adjust the average retail price ceiling of any manufacturer determined under subparagraph (2) above if the manufacturer shows that maintenance of that average retail price ceiling will cause him substantial hardship. Applications for such adjustment shall be signed by the manufacturer or his authorized officer, member or agent and filed with the National Office of the Office of Price Administration. The application shall contain:

(i) Applicant's name and address, and the name and title of the person signing the application in applicant's behalf.

(ii) A statement of the facts on which applicant relies to justify his request for adjustment, such as a prior or concurrent adjustment of the maximum list and maximum retail prices of a brand and size of domestic cigars sold by him in March 1942, his leaf tobacco inventory position, inability to secure necessary manufacturing equipment, labor or materials, etc. (However, individual shortages of leaf tobacco or materials shall not be considered if supplies are or were generally available to the industry.)

(iii) Applicant's operating and profit and loss statements (prepared according to his usual system of accounting) for his most recent regular accounting period and for a representative peace time period. Profit and loss data for the years 1936-39 will be secured from the Bureau of Internal Revenue if applicant so re-

quests.

"Representative peace time period" means the calendar years 1936-39 inclusive, or applicant's fiscal years corresponding thereto. In individual instances where these years are not a reasonably representative pre-war (December 7, 1941) period, other calendar or fiscal years found by the Price Administrator to be representative may be used.

After receipt of the application, and any further information or evidence considered necessary and requested for purposes of determining the propriety of an adjustment, the Price Administrator will, by order, grant or deny, in whole or in part, the adjustment requested. adjustment granted may be limited as to time. An order granting or denying an adjustment may be revoked or modified by the Price Administrator at any time. Adjustments under this subparagraph shall be limited in amount to that found by the Price Administrator to be reasonably necessary to allow applicant his average annual profits on domestic cigar manufacturing operations (before income and excess profits taxes) during the representative peace time period, or where applicant has had no representative peace time experience, to an amount found necessary by the Price Administrator to allow applicant profits on his domestic cigar manufacturing operations in line with corresponding representative peace time profits (before income and excess profits taxes) of other manufacturers in the same Internal Revenue collection district.

(4) On or before April 15, 1945, and every three months thereafter, every manufacturer of domestic cigars shall file with the Office of Price Administration, Tobacco Section, Washington, D. C., a complete and accurate report showing the weighted average retail price of all domestic cigars manufactured and sold by him during the preceding three calendar months and his computation of that price. The report shall be in duplicate on OPA Form 635-2076 shown in Appendix F, or on copies of that form made by the manufacturer. Printed copies of the form may be obtained, upon request, from the National Office or from any Regional or District Office of the Office of Price Administration.

(5) To the extent that a manufacturer's weighted average retail price for all domestic cigars manufactured and sold by him in a prescribed three calendar months' period exceeds his average retail price ceiling, a manufacturer shall be deemed to have violated this regulation and shall be subject to the criminal penalties, enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) Inability to determine prices. A manufacturer otherwise unable to determine under this section the maximum list and a maximum retail price of a brand and size of domestic cigars he manufactures and sells, or unable to determine his average retail price ceiling, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C. The application shall be

signed by the manufacturer or by his authorized officer, member or agent, and shall set forth:

(1) The manufacturer's name and address, and if the manufacturer is not an individual, the name and title of the person signing the application in his behalf.

(2) A statement in detail of the circumstances making the filing of the application necessary.

After receipt of the application and any further information or evidence considered necessary and requested for purposes of determining proper maximum prices, the Price Administrator will, by order or amendment, provide the prices or a method of determining the prices for the situation presented that are in line with corresponding prices otherwise established by this regulation. Any such order may be revoked or modified by the Price Administrator at any time.

(e) Wholesalers' maximum prices. (1) On and after receipt of notice from his supplier given pursuant to § 1358.113 of the maximum list price and maximum retail price of a brand and size of domestic cigars, a wholesaler's maximum list price for those cigars sold to him at or after receipt of the notice shall be the manufacturer's maximum list price determined under this section. With respect to floor stocks of that brand and size of domestic cigars at the date of receipt of the notice, the wholesaler's maximum list price shall be his maximum list price established under former § 1358.102 (c) or (e) of this regulation.

(2) To determine his maximum net selling price to purchasers of a particular class for a sale of a brand and size of domestic cigars, a wholesaler shall deduct from his maximum list price for them his March 1942 customary discounts and allowances on sales of cigars of the same March 1942 price class to purchasers of that class. Wholesalers shall allow their March 1942 customary differentials for packings and may charge differentials for packings not exceeding their customary differentials, if any, charged in March 1942 on domestic cigars of the same March 1942 price class to purchasers of the same class. If the brand and size of domestic cigars being priced is of a March 1942 price class not sold by the wholesaler in that month, he shall, in determining his maximum net selling price, grant the discounts, and may charge and shall allow the differentials for packing customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(f) Retailers' maximum prices. (1) A retailer's maximum price for a sale of a brand and size of domestic cigars shall be the retail price lawfully stated or required to be stated on the box, container or package of those cigars, or the retail price lawfully stated in the notice given by his supplier according to § 1358.112, whichever is the lower.

(2) Where the box, container or package, or the notice from the supplier shows both a single unit and a multiple unit price (for example: 7 cents, three for 20 cents), the retailer's maximum price for sales of that multiple unit shall be the price thus stated.

(3) Where the box, container or package, or the notice from the supplier shows only a multiple unit price (for example: two for 15 cents), the retailer's maximum price for sales of that multiple unit shall be the price thus stated. If a purchaser requests a quantity of such cigars less than the multiple unit, the retailer's maximum price for the sale shall be the multiple unit price divided by the number of units to which it applies and multiplied by the number of units being priced, with a fraction of a cent in the resulting figure adjusted to the next higher full cent. If the purchaser offers to buy the number of cigars to which the multiple unit price applies, but the retailer refuses to sell the purchaser that number, his maximum price for the sale shall be figured in like manner, except that a fraction of a cent in the resulting figure shall be disregarded.

3. In § 1358.102a, the following changes are made:

The title of paragraph (a) is deleted; paragraph (a) (1), (2), (3) (4), (5) and (6) are redesignated paragraphs (a), (b), (c), (d), (e) and (g), respectively; subdivisions (i) and (ii) in former paragraph (a) (2) are redesignated subparagraphs (1) and (2), respectively, of redesignated paragraph (b); in redesignated paragraph (b) (2), the references to "(1)" and to "(3)" are amended to read "subparagraph (1)" and "paragraph (c)", respectively, and in redesignated paragraph (c), the reference to "(2)" is amended to read "paragraph (b)".

4. Redesignated paragraph (d) of § 1358.102a is amended to read as follows:

(d) Importers' discounts on sales of any imported cigar priced under paragraph (a) or (b) above shall not be less than those allowed in March 1942 on their sales of imported cigars of the same March 1942 price class to the same class of purchasers. Importers' price differentials for packings charged in March 1942 on their sales of imported cigars in the same March 1942 price class may be charged on sales of such imported cigars and shall not be increased. Importers' price differentials for packings allowed in March 1942 on their sales of imported cigars of the same March 1942 price class shall be allowed on their sales of such imported cigars and shall not be reduced. If an imported cigar is of a price class not previously sold by the particular importer, the discounts applicable to his sales thereof shall not be less than those established under this regulation for sales of imported cigars of that price class by his most closely competitive seller of the same class and packing differentials charged or allowed shall not be greater or less, respectively, than those charged or allowed under this regulation by his most closely competitive seller of the same class on sales of imported cigars of that price class.

- 5. Redesignated paragraph (e) in \$1358.102a is revoked and new paragraphs (e) and (f) are added to read as follows:
- (e) Wholesalers' maximum (1) On and after receipt of notice from his supplier given pursuant to § 1358.113 of the maximum list price and maximum retail price of a brand and size of imported cigars, a wholesaler's maximum list price for those cigars sold to him at or after receipt of the notice shall be the importer's maximum list price determined under this section. With respect to floor stocks of that brand and size of imported cigars at the date of receipt of the notice, the wholesaler's maximum list price shall be his maximum list price established under former provisions of this section.
- (2) To determine his maximum net selling price to purchasers of a particular class for a sale of a brand and size of imported cigars, a wholesaler shall deduct from his maximum list price for them his March 1942 customary discounts and allowances on sales of imported cigars of the same March 1942 price class to purchasers of that class. Wholesalers shall allow their March 1942 customary differentials for packings and may charge differentials for packings not exceeding their customary differentials, if any, charged in March 1942 on imported cigars of the same March 1942 price class to purchasers of the same class. If the brand and size of imported cigars being priced is of a March 1942 price class not sold by the wholesaler in that month, he shall, in determining his maximum net selling price, grant the discounts, and may charge and shall allow the differentials for packings customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same March 1942 price class to purchasers of the same class.
- (f) Retailers' maximum prices. (1) A retailer's maximum price for a sale of a brand and size of imported cigars shall be the retail price lawfully stated or required to be stated on the box, container or package of those cigars, or the retail price lawfully stated in the notice given by his supplier according to § 1358.113, whichever is the lower.

(2) Where the box, container or package, or the notice from the supplier, shows both a single unit and a multiple unit price (for example: 19 cents, three for 55 cents), the retailer's maximum price for sales of that multiple unit shall be the price thus stated.

(3) Where the box, container or package, or the notice from the supplier, shows only a multiple unit price (for example: three for \$1.00), the retailer's maximum price for sales of that multiple unit shall be the price thus stated. If a purchaser requests a quantity of

such cigars less than the multiple unit, the retailer's maximum price for the sale shall be the multiple unit price divided by the number of units to which it applies and multiplied by the number of units being priced, with a fraction of a cent in the resulting figure adjusted to the next higher full cent. If the purchaser offers to buy the number of cigars to which the multiple unit price applies, but the retailer refuses to sell the purchaser that number, his maximum price for the sale shall be figured in like manner, except that a fraction of a cent in the resulting figure shall be disregarded.

- 6. Section 1358.103 is revoked and a new § 1358.103 is added to read as follows:
- § 1358.103 Records. (a) Every person who makes sales for which maximum prices are established by this regulation shall:
- (1) Make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing the prices he charged in those sales and the manner in which they were figured.

(2) Preserve for examination by the Office of Price Administration for the same period all of his existing records which are the basis of determination of his maximum prices in the manner prescribed by this regulation.

(3) Preserve for examination by the Office of Price Administration for the same period all existing records he was required to make or preserve by any regulation superseded by this regulation, or by superseded provisions of this regulation.

(b) Every manufacturer who makes sales for which maximum prices are established by this regulation shall, in addition:

(1) Make and preserve for examination by the Office of Price Administration for the same period records showing his purchases of and prices paid for cigar leaf tobacco by types and grades and his use of cigar leaf tobacco in each brand and size of domestic cigars he manufactures and sells.

(2) Make and preserve for examination for the Office of Price Administration for the same period records showing his volume of sales of each brand and size of domestic cigars he manufactures and sells in the three calendar months' period beginning January 1, 1945 and in each three calendar months' period thereafter.

(c) Records to be made or preserved by a person under this section may be of the same kind as he customarily kept if his customary records supply the required information.

"Records" as used in this section means written evidence of transactions including books of account, price lists, sales lists, sales slips, vouchers, contracts, receipts, invoices, bills of lading, inventory records, copies of individual applications and reports filed with the Office of Price

Administration under this regulation, and other papers or documents necessary to determine prices charged or paid and the method used to figure them.

7. Subparagraphs (3) and (4) of § 1358.105 (b) are revoked.

8. Subparagraph (6) of § 1358.105 (b) is amended to read as follows:

- (6) Definitions § 1499.20 (d), (g), (h), (i), (k), (o), (p), (r) and (s).
- 9. Subparagraphs (2 and (3) of § 1358.112 (a) are amended to read as follows:
- (2) "Imported cigars" which are defined to include all types of cigars, cheroots, stogies and little cigars manufactured or produced outside of the continental United States or its territories or possessions, except those weighing less than three pounds per thousand.

(3) Only domestic cigars wherever used in \$1358.102 and only imported cigars wherever used in \$1358.102a.

- 10. Subparagraphs (4) and (5) are added to § 1358.112 (a) to read as follows:
- (4) "New domestic cigar" which
- (i) Any brand and size of domestic cigars not manufactured and sold in March 1942 by the particular manufacturer; and

(ii) Any size of domestic cigars not manufactured and sold under the particular brand during March 1942 by the manufacturer; and

(iii) Any brand and size of domestic cigars manufactured and sold by the particular manufacturer in March 1942 and thereafter changed as to size, shape, length, ring—gauge, type or grade of tobacco, otherwise than as a normal variation.

(5) "New imported cigar" which means:

(i) Any brand and size of imported cigars not imported and sold in March 1942 by the particular importer; and

(ii) Any size of imported cigars not imported and sold under the particular brand during March 1942 by the importer; and

(iii) Any brand and size of imported cigars sold by the particular importer in March 1942 and thereafter changed as to size, shape, length, ring gauge and type or grade of tobacco, otherwise than as a normal variation.

- 11. Section 1358.112 (h) is added to read as follows:
- (h) "Importer" means a person in continental United States or its territories or possessions, who first purchases for resale imported cigars from a supplier whose place of business is located outside continental United States or its territories or possessions.
- 12! Section 1358.113 is amended to read as follows;
- § 1358.113 Notice of maximum prices— (a) Marking of maximum retail prices on containers. Every manufacturer of

domestic cigars and every importer of imported cigars shall state in plainly visible numerals upon each box, container or package of cigars sold by him the exact maximum retail price established by this regulation for those cigars. The maximum retail price shall be stated on the inside of the top cover of boxes or containers with attached top covers, except that with respect to such boxes or containers of imported cigars withdrawn from customs prior to November 13, 1944. or of domestic cigars bearing Internal Revenue stamps cancelled prior to that date, that price may be stated on any other part of the container or box readily visible to a purchaser. On boxes or containers with no attached top covers, or packages containing ten or less cigars. the maximum retail price shall be stated on any other part of a container or box readily visible to a purchaser. No wholesaler or retailer shall in any manner alter or efface the maximum retail price stated upon a box, container or package of domestic or imported cigars (except to state a lower retail price) or use it to display domestic or imported cigars of a different maximum retail price class than those originally packed therein.

(b) Notice by manufacturers and importers. On or before his first delivery after November 12, 1944, of any brand and size of domestic or imported cigars, the manufacturer or importer thereof, respectively, shall notify the purchaser of the exact maximum list price and maximum retail price of those cigars by delivering to the purchaser a written

statement as follows:
On our (describe cigars by brand, frontmark and size) the Office of Price Administration has established a maximum list price
of \$ (insert price) per thousand in packings
of (specify number of cigars per box or container) and a maximum retail price of (insert
cents per unit or multiple unit, or both, as
appropriate). All customary discounts and
allowances in effect in March 1942 on your
purchases will not be lowered. All packing
differentials allowed in March 1942 will not
be lowered and all packing differentials
charged in that month will not be increased.
Wholesalers receiving this notice are required to give similar notice to every purchaser to whom they sell these cigars on or
before their first delivery to such purchaser.
The Office of Price Administration requires

(c) Notice by wholesalers. On or before his first delivery after November 12, 1944 of any brand or size of domestic or imported cigars with respect to which notice has been given to him under paragraph (b) by the manufacturer or importer, every wholesaler shall notify each purchaser of the exact maximum list price and maximum retail price of those cigars by delivering to the purchaser a written statement as follows:

you to keep this notice for examination.

On our (repeat brand, frontmark and size description in notice from supplier), the Office of Price Administration has established a maximum list price of (repeat maximum list price in notice from supplier) in packings of (specify packing listed in notice from supplier) and a maximum retail price of (specify maximum retail price or prices in notice from supplier). All customary discounts and allowances in effect in March 1942 on your purchases will not be lowered. All packing differentials allowed in March 1942 will not be lowered and all packing

differentials charged in that month will not be increased. The Office of Price Administration does not permit you to alter or efface the retail price shown on boxes or containers of these clgars, or to use these boxes or containers to display clgars of a different maximum retail price class. The Office of Price Administration requires you to keep this notice for examination.

(d) No notice need be given under paragraph (b) or (c) if the maximum list and the maximum retail prices of a brand and size of cigars established under this regulation are the same as those in effect prior to November 13, 1944. Notice once given under paragraphs (b) or (c) to a particular purchaser with respect to a brand and size of cigars need not be repeated unless a change is thereafter made in their maximum list or maximum retail prices. However, if such change is made, an additional notice covering it shall be given.

13. Section 1358.116 is amended to read as follows:

§ 1358.116 Appendix A.

March 1942 stated retail price	Maximum retail price	Manufacturer's and wholesaler's maximum list price
16	Cents 2	\$16,00 22,00
7 for 10¢ 3 for 5¢ 2¢ 2 for 5¢	4 for 11	22, 00 26, 65 32, 00 40, 00

March 1942 stated retail price	Maximum retail price	Manufacturer's and wholesaler's maximum list price
	Cents	
3¢	2 for 11	\$44.00
3 for 10¢	6 for 35	46.65
4 for 15c	4 for 25	50,00
46	2 for 13	52.00
56	2 for 15	60.00
664 for 256	9	72.00
	3 for 28	74.00
8 for 20#	10 2 for 21	75, 00 78, 75
7¢		82.50
8¢	11	90.00
3 for 25¢	2 for 25	93.75
96	2 for 27	101. 25
10¢	2 for 29	108, 75
11ē	16	123:00
12¢	2 for 35	134.00
2 for 25é	18	138.00
13é	19	140,00
14¢	20	154.00
15d	22	169, 00
3 for 50e	24	185, 00
17é	2 for 49	188.00
18¢	25	192.00
3 for 55¢	26	200.00
19¢	27	208, 00
206	28	215.00
22¢	31	238.00
2 for 45¢	2 for 63	242.00
23¢	32	246, 00
25¢	2 for 85	250.00
30¢	36	277. 00 300. 00
3 for \$1.00	43	331, 00
35¢	45	346, 00
2 for 75¢	49	377.00
40¢	52	400,00
456	58	446.00
50¢	65	500.00
55¢	70	539.00
60é	78	600,00
75é	95	730, 00

14. Section 1358.117b is added to read as follows:

§ 1358.117b Appendix D.

OPA Form 635-2078 (10-44) FORM APPROVED BUDGET BUREAU NO. 08-R1236

This form may be reproduced without change

United States of America Office of Price Administration Washington 25, d. c.

DETERMINATION OF MAXIMUM LIST PRICE AND MAXIMUM RETAIL PRICE FOR A NEW DOMESTIC CIGAR

City, postal ze	one number	
	one attances,	state
Brand of new	domestic ciga	ar
Size or front n	nark	
Proposed maximum list price	Wholesale discounts	Proposed maximum retail price

Length of cigar ..... inches, Diameter of cigar ..... (ring gauge) (inches), Average weight per 100 cigars .....

	Schedule A										
	U. S. agricul- ture type number	Grade or mark	Pounds required to manufacture 1,000 cigars	Kind of weight	these spaces						
Vrappers Sinders											
Fillers  -											
filler as "L" short filler as "S" in column at right											

Schedule B

Item number	Manufacturing costs and exp	penses	Cost per 1000 cigars	
1	Labor-hand eigar rolling			N. N.
2	Labor-hand éigar bunching	-		
3	Wrapper selecting	-		1
4	Labor-cigar machine operators	P. L.		
5	Labor bonus	-		
6	Machinists and oilers.			
7	THE OWNER OF THE OWNER OWNER OF THE OWNER OW	-		
	Cigar machine rental or royalty.		7	1000
	Power.	-		
	Casing.			
	Tobacco conditioning.			
	Drying.	-	-	HE STATE OF THE ST
13				Tent 1
		minment\		Briefly.
14		derbritent/s		1
	Cigar making overhead.			
	Cigar making expense.	. 1 4 1	-	1 1
17		is 1 through 16)	1	
18	Labor-eigar packing.	The state of		
13	Bands.			- 100
20	Cellophane,			2
21	Other packing material (describe).			
22	Labor-banding and cellophaning.			X-
23	Depreciation on packing equipment	ALE-DA		
24	Cigar boxes			I SEE
25	Labels			
26	Wrapping materials			
27	Packing overhead			-
28	Packing expense			
29	Packed cigar manufacturing cost (total of ite	ms 17 through	28)	
30	Officers salaries			Fig. 12 mg
31	Clerical salaries—general office			
32	General office expense			
33	Manufacturing and administration cost (total 32).	al of Items 29 tl	hrough	T No
34	Shipping materials	7 71 5		
35	Shipping labor	1 12 12 17		10000
36	Freight-out-bound			
37	Advertising			
38	Salesmen's salaries and commissions	1		
39	Other selling expense (describe)			Pay Test
40	Cost before revenue (less tobacco cost) (total c	of items 33 thro	igh 39)	
11	Internal revenue stamps			A STATE OF
42	Total cost (less tobacco cost) (total of items	40 and 41)		
	The same of the sa			
Sign	nature of person submitting information Ti	tle or position	Date submitted	

(See instructions on reverse side of this form)

(Reverse side)

INSTRUCTIONS FOR USE OF OPA FORM 635-2078

(This form is to be filed in duplicate)

1. Complete a separate form for each brand and size or frontmark of cigar for which maximum prices are sought. Do not use

blank spaces at the right of columns in Schedules A and B.

2. In the box at the upper right hand corner of the form, state the name of the manufacturer as registered with the Bureau of Internal Revenue and the address of his principal place of business. State also the brand name and the size or frontmark of

the cigar exactly as they will appear on it when it is offered for sale at retail, the maximum list price and the maximum retail price proposed by the manufacturer and the discounts to be applicable to his sales to wholesalers.

3. State the length, diameter and weight of the cigar for which prices are sought in spaces provided for that purpose. Strike out whichever term (ring-gauge or inches) is not applicable to the figure stated as the diameter of the cigar. In stating weight per per hundred cigars, give the loose cigar weight without including packing materials

or wrappings to be added.

4. Schedule A. In column headed "U. S. Agriculture Type Number," state the types of each kind of tobacco to be used in the manufacture of the cigar. In the column headed "Grade or Mark," state the term (such as L, LV, Primes, Light Wrappers, No. 2 Seconds, Darks, B's, etc.), generally used in the industry to indicate the particular grade of these types of tobacco. For tobacco not graded, the terms "Ungraded," "Bundle," "Unassorted," "String," etc., applicable to the particular type of tobacco should be stated

Tobacco weights furnished should be weights per thousand cigars. In column headed "Kind of Weight", state whether the weights given in the preceding column are Actual Unstemmed Weights (Unstd. A.W.) or Marked Weights (M. W.) or Stemmed Weights (S. W.). If your records supply actual unstemmed or stemmed weights of the tobaccos, state weights in one of those terms.

In column headed "Fillers" be sure to indicate whether fillers to be used are long or short fillers.

Be sure that Schedule A contains a complete and accurate description of tobaccos.

Do not give your costs for the tobaccos

to be used.

5. Schedule B. Not all items of cost and expense for which space is provided in Schedule B will apply in every instance. Complete that Schedule only to the extent that the listed cost items apply to the cigar for which maximum prices are sought. Give the known or accurately estimated costs you will experience in the manufacture and marketare estimates by marking "EST" opposite them. Unless costs are indicated to be estimates, it will be assumed that your records show the figures used for them to be accurate.

Item 15. Include on this line the amount per thousand cigars for costs such as the following: Superintendent's and foremen's salaries applicable to cigar making, stemming, casing, conditioning and drying; stockmen's wages applicable to making, stemming, casing, weighing and conditioning; wages of factory clerical employees, janitors, nurse, elevator operators, firemen, plant engineer, watchmen, maintenance employees (car-penters, electricians, etc.).

Item 16. Include on this line the amount

per thousand cigars for costs such as the following: Alterations and repairs, fuel, inbound freight, insurance, lubricants, gums, maintenance materials, tools and factory supplies, light, water, rent, Social Security and Unemployment taxes, and other taxes (excluding, however, Federal and state in-

come taxes).

Item 27. Include on this line the amount er thousand cigars for costs such as the following: Salaries of packing foremen and inspectors, packing room stockmen, laborers and stampers.

Item 28. Include on this line the amount per thousand cigars for costs such as the following: Nails, tacks, pastes and glues, and auxiliary packing materials.

Note: The person signing this form must be either the manufacturer or his authorized officer, member or agent.

15. Section 1358.117c is added to read as follows:

§ 1358.117c Appendix E.

PA Form 635-2077		THOSE	Name of manufacturer									
Form approved But This form may be re United St.	eproduced without	change		office address— mber and street	City, postal zone number, State							
OFFICE OF PR WASHING	ICE ADMINISTRATIO STON 25, D. C.	N	Local	tion of factory—	Internal Rev number	venue District						
CEILING BY M	F AVERAGE RETAIL ANUFACTURERS O	PRICE	Nam	e of manufacture	er (as registered t Revenue)	by Bureau of Internal						
			Signat	ture of person furn	nishing informa- n	Title or position						
Column 1	Column 2	Colu	mn 3	Column 4	Column 5	Column 6						
Name of March 1942 brand sold from January 1 through June 30, 1943	Size or front mark of March 1942 brand listed in column 1	March star retail (per c	ted price	Maximum retail price per cigar (see section 1358.102 (a) )	Number of cigar of brand and siz listed in column 1 and 2 sold tax paid from Januar 1 through June 3 1943	e Retail dollar valus of cigars sold tax paid (column 5 multiplied by						
	+											
2.24												
						A SECOND						
The state of				Totals								

Calculation of average retail price ceiling: \_\_\_\_\_Divided by \_\_\_\_\_Equals.\_\_\_\_Average retail price ceiling per cigar. (Total of column 5)

(See instructions on back of this form)

(Reverse Side)

INSTRUCTIONS FOR USE OF OPA FORM 635-2077

(This form is to be filed in duplicate)

- 1. In Columns 1 and 2 list the brands and sizes or frontmarks of all domestic cigars you manufactured and sold in March 1942 which you also manufactured and sold from January 1, 1943 through June 30, 1943. Do not include any brands and sizes or frontmarks unless the cigars you sold under them from January 1, 1943 through June 30, 1943 were identical with those you sold under them in March 1942, and do not include any brands or sizes or frontmarks you did not manufacture and sell in March 1942.
- In Column 3 enter your March 1942 stated retail price per cigar for each brand and size or frontmark listed in Columns 1 and 2.
- 3. In Column 4 enter the maximum retail price per cigar established by Maximum Price Regulation 260 for each brand and size or frontmark listed in Columns 1 and 2. The maximum retail price should be figured according to Paragraph (a) of § 1358.102.
- 4. In Column 5 enter the number of cigars of each brand and size or frontmark listed in Columns 1 and 2 which you sold tax paid from January 1, 1943 through June 30, 1943. Do not include the number of cigars sold tax free. Generally, a sale is to be considered made in the January 1–June 30, 1943 period if the purchaser took title to the cigars between those dates.
- 5. In Column 6 enter the figure obtained by multiplying the maximum retail price (Column 4) of each brand and size or frontmark by the number of those cigars sold (Column 5).
- 6. Then determine your average retail price ceiling by dividing the total of Column 6 by the total of Column 5. Show this computation in the space at the bottom of the form. Carry your figures to four decimal places and drop any additional fraction.

Note: The person signing this form must be either the manufacturer or his authorized officer, member or agent.

If this form does not provide sufficient space, use additional forms or attach a separate sheet. However, make only one computation of your average retail price ceiling and put that on the first form.

16. Section 1358.117d is added to read as follows: \$ 1358.117d. Appendix F.

OPA Form 635-2076 (11-44)	Form approved Budge No.	t Bureau 08-R1234	Nan	ne of manufactu	rer				
UNITED	be reproduced without cl	nange	Mai	n office address and number	street	City, postal zone num ber, State			
	PRICE ADMINISTRATION SHINGTON 25, D. C.		List	below all factor factur	ies operate ing cigars	d, controlle for above	d or manu-		
CIGAR SALES AND W	UFACTURER'S REPORT OF FEIGHTED AVERAGE RETA FOR PERIOD  and ending	IL PRICE	Regis	stered name of anufacturer	Factory	District	State		
Signature of person	furnishing information	Title							
Column 1 Column 2		Colum	in 3	Column	14	Column 5			
Brand name Front mark or size		Establish tail pric	rice per Number of cigars sol			Retail dollar value of sales (column 4 mu tiplied by column 3			
							35,15		
					,		7.3		
		Totals			0 10		Sec.		

(See instructions on back of this Form)

## (Reverse Side)

Instructions for Use of OPA Form 635-2076 (This form is to be filed in duplicate)

- 1. This report must be filed April 15, 1945 and every three months thereafter.
- 2. In Columns 1 and 2 list all brands and sizes or frontmarks of domestic cigars you manufactured and sold during the three calendar months for which the report is made.
- 3. In Column 3 enter the retail price per cigar you have established for each brand and size or frontmark listed in Columns 1 and 2.
- 4. In Column 4 enter the number of cigars of each brand and size or frontmark listed in Columns 1 and 2 you sold tax paid during the three calendar months for which the report is made. Do not include the number of cigars sold tax free. Generally, a sale is to be considered made in the period if the purchaser took title to the cigars during it.
- 5. In Column 5 enter the figure obtained by multiplying the established retail price (Column 3) of each brand and size or frontmark by the number of those cigars (Column 4) sold during the period for which the report is made.
- 6. Then determine the weighted average retail price for your sales by dividing the total of Column 5 by the total of Column 4. Show this computation in the space at the bottom of the form. Carry your figures to four decimal places and drop any additional fraction.

Note: The person signing this form must be either the manufacturer or his authorized officer, member or agent,

If this form does not provide sufficient space, use additional forms or attach a separate sheet. However, make only one computation of your weighted average retail price and put that on the first form. 17. Section 1358.117e is added to read as follows: § 1358.117e Appendix G.

e	s follows, § 1556.11 te Appendix G	
C	column 1—Inter- Column 2—A	nergan
	nal Revenue col- retail pri	
		0 0000
	Alabama	
	Arkansas	.0676
	1st California	. 0565
	6th California	.1409
	Colorado	.0729
	Connecticut	.0907
	Delaware	
	Plorido	.0681
	Florida	. 0807
	Georgia	.0654
	Idaho	. 0400
	1st Illinois	.1011
	8th Illinois	.0733
	Indiana	. 0846
	Iowa	.0698
	Kansas	.0494
	Kontucky	
	Kentucky	.0720
	Louisiana	. 0958
	Maine	.1062
	Maryland	.0731
	Massachusetts	.0810
	Michigan	.1110
	Minnesota	.0809
	1st Missouri	
	Ctla 3 Figurary	. 0523
	6th Missouri	.0780
	Montana	.1039
	Nebraska	.0677
	New Hampshire	.0817
	1st New Jersey	.1100
	5th New Jersey	.0866
	1st New York	.0608
	2nd New York	
	and New York	.0912
	3rd New York	.0846
	14th New York	.0919
-	21st New York	.0745
	28th New York	.0650
	North Carolina	.0665
	North Dakota	.0519
	1st Ohio	. 0689
	10th Ohio	.0810
	11th Ohto	
	11th Ohio	.0561
	18th Ohio	.0727
	Oregon	.0849
	1st Pennsylvania	.0801
	12th Pennsylvania	.0710
	23rd Pennsylvania	.0501
	Rhode Island	.0449
	South Carolina	.0626
	South Dakota	. 0736
	Tennessee	.0466
	1st Texas	. 0907
	2nd Texas	.0720
	Utah	.1146
	Virginia	. 0541
	Washington	.0756
	West Virginia	.0504
	Wisconsin	.0879
	Willowith management of the contract of	.0019

Note: If the manufacturer manufactures domestic cigars in a factory located in a collection district other than those listed in this column, his average retail price ceiling is to be determined under § 1358.102 (d).

### 18. Section 1358.118 is revoked.

This amendment shall become effective November 13, 1944.

Note: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the Federal Register are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 8th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17148; Filed, Nov. 8, 1944; 11:45 a. m.]

PART 1389—APPAREL [RMPR 208, Amdt. 3]

MAXIMUM PRICE FOR STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 203 is amended in the following respects: Section 5.9 is amended to read as fol-

lows:

SEC. 5.9 Amendments and adjustments—(a) Petitions for amendment. Any person who seeks a modification of any provision of this regulation may file a petition for amendment of general applicability in accordance with Revised Procedural Regulation No. 1,2 issued by the Office of Price Administration.

(b) Manufacturers' applications for adjustment—(1) Who may apply. Any manufacturer required to produce a garment of staple work clothing by the War Production Board, pursuant to Conservation Order No. M-379 (issued July 10, 1944) and General Direction No. 1 to Conservation Order No. M-379 (as amended October 12, 1944), may apply for an adjustment of his ceiling price on such garment.

(2) Amount of adjustment. Existing ceiling prices will be adjusted as follows when and to the extent that existing ceiling prices are found by the Office of

Price Administration to be lower than:
(i) A price equal to the total unit cost of the garment plus 2% of such cost, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations is less than 6.2%, or less than double the average percentage realized during the years 1936 to 1939, inclusive.

(ii) A price equal to the total unit cost of the garment, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations is 6.2% or over, or double or more than double the average percentage realized during the years 1936 to

1939, inclusive.

(3) Filing of applications. Applications must be filed in accordance with subpart B of Revised Procedural Regulation No. 1, and must contain, unless they are on file with the Office of Price Administration:

(i) Balance sheets and profit and loss statements for the years 1936 to 1939, inclusive, the most recent calendar or fiscal year, and the most recent interim

period;

(ii) A statement in detail of the applicant's current total unit cost (material, direct labor, factory overhead, selling and administrative expense, in accordance with applicant's usual accounting practice) for the garment for which an adjustment is being sought.

(4) Denial of applications. An application may be denied, notwithstanding the standards in paragraph (2), if price

relief under an alternate method has been provided for the applicant or his industry, or if the Price Administrator determines that granting the application would not accord with the purpose of the directive issued by the Director of the Office of Economic Stabilization on November 16, 1943, and any supplements or amendments thereto.

This amendment shall become effective November 13, 1944.

Note: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of November 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I hereby approve the issuance of this amendment and find that it is necessary to aid in the effective prosecution of the war.

FRED M. VINSON, Economic Stabilization Director.

[F. R. Doc. 44-17149; Filed, Nov. 8, 1944; 11:47 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,1 Amdt. 159]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (12) is amended to read as follows:

(12) (i) "Gasoline" includes any petroleum product that:

 (a) Is commonly known or sold as gasoline (including casinghead and natural gasoline, or

(b) Has a flashpoint below 100° Fahrenheit (closed cup test, ASTM D-56-36); or

(c) Is used or blended for use as fuel in an internal combustion engine,

(ii) However, the term does not include naphthas, aromatics, synthetic rubber raw materials, solvents, or specialties except: (a) when used or blended for use as fuel in an internal combustion engine; or (b) under the circumstances set forth in §§ 1394.8365, 1394.8366, and 1394.8367 of this order.

(iii) Moreover, the term does not, in any event, include any of the following:
 (a) Fuel oil as defined in Revised Ra-

tion Order No. 11 or

(b) A petroleum product having an octane rating of 86 or more (ASTM D-357-42T), not used or blended for use as fuel for a motor vehicle; or

(c) Liquefled petroleum gases, regardless of use.

2. Section 1394.7551 (a) (17) is amended to read as follows:

(17) (i) "Licensed distributor" means:

(a) Any person who receives, transfers or uses gasoline in such manner as to be required to account for the State motor fuel taxes imposed thereon directly to the motor fuel tax administration of a State. He is a licensed distributor only in that State. The term included all persons licensed or bonded by the State for this purpose.

(b) The person who produces rationed naphtha covered by § 1394.8365 in a State in PAW District No. 2 or the first person, in point of time, who has possession (other than as a common or contract carrier) of such naphtha in a State in PAW District No. 2. If he is a licensed distributor in a State under sub-divisions (i) (a) and (b) he is considered a single licensed distributor in that State for his operations under both sub-divisions. Otherwise, he is a licensed distributor only for his operations in such naphtha.

The term includes all facilities of a licensed distributor as defined in § 1394.

7551 (a) (56).

(ii) However, the term does not include any of the following:

(a) The Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, or any military or naval activity such as Post Exchanges and Ships' Service Stores.

(b) Any person authorized or directed by the Office of Price Administration, Washington, D. C., to operate as a consumer, dealer or intermediate distributor. The Office of Price Administration, Washington, D. C., may authorize or direct a person to operate as:

(1) A consumer in the licensing or bonding State if all gasoline acquired by him is for his own use and he does not produce, sell or transfer any of that

gasoline.

(2) A dealer or intermediate distributor if he does not import or produce any gasoline in that State.

(c) Any person who would be a licensed distributor in a State under subdivision (i) (b) but who is not licensed or bonded in that State and does not produce, sell, or transfer any gasoline.

3. Section 1394.7551 (a) (60) is added to read as follows:

(60) "PAW District No. 2" means the States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Ohio, Indiana, Kentucky and Tennessee.

4. Section 1394.7904 (a) is amended by deleting the phrase "paragraphs (b), (c) and (d)" and substituting the phrase "paragraphs (b), (c), (d), (e) and (f)".

"paragraphs (b), (c), (d), (e) and (f)".

5. Section 1394.7904 (e) and (f) are added to read as follows:

- (e) The Board shall refuse to issue a ration for any non-highway use, other than for the operation of machinery or equipment or for use in stoves, lamps, or other mechanical burning devices, if an adequate supply of a non-rationed substitute product is available at a reasonable cost.
- (f) A non-highway ration may be issued to a person engaged in PAW Dis-

<sup>&</sup>lt;sup>1</sup>8 F.R. 15937.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup> 9 F.R. 9987, 10493. <sup>2</sup> 7 F.R. 8961; 8 F.R. 3312, 3533, 6173; 9 F.R.

trict No. 2, in packaging rationed naphtha (as defined in Section 1394.8365) in containers of eight (8) fluid ounces or less for non-highway uses.

- 6. Section 1394.8185 is added to read as follows:
- § 1394.8185 Disposition of petroleum product acquired or delivered as gasoline. (a) A petroleum product acquired as gasoline may thereafter be transferred, acquired, delivered or used only in accordance with the provisions of this Order (and General Ration Order 8) covering the transfer, acquisition, delivery, or use of gasoline.
- 7. Section 1394.8217 (a) (1) is amended by adding the following before the phrase "or other extraordinary circumstances":

"Incurred as a result of transfers in accordance with § 1394.8367 for which he has not obtained evidences as provided in

- 8. Section 1394.8225 (g) is added to read as follows:
- (g) Supplemental rules for mobile storage capacity with respect to naphthas rationed only in PAW District No. 2. (1) If a dealer has immobile storage facilities at his place of business in PAW District No. 2, and also must regularly store in drums or other mobile storage facilities, rationed naphtha covered by § 1394.8365 of this order, his registered storage capacity provided by paragraph (a) (1) shall be increased by 110 gallons or by such other amount determined by the Board to be necessary for his business in such naphtha.

(2) If a dealer has no immobile storage facilities at his place of business in PAW District No. 2 and his gasoline transfers are primarily transfers of such naphtha, his registered storage capacity provided by paragraph (a) (2) shall not exceed 110 gallons or such other amount determined by the Board to be necessary for his business in such naphtha (and his business in other gasoline if any).

(3) If an intermediate distributor has immobile storage facilities at his place of business in PAW District No. 2 and also must regularly store such naphtha in drums or other mobile storage facilities. his registered storage capacity provided by paragraph (a) (1) shall be increased by the amount determined by the District Office to be necessary for his business in such naphtha.

(4) If an intermediate distributor has no immobile storage facilities at his place of business in PAW District No. 2 and his gasoline transfers are primarily transfers of such naphtha, his registered storage capacity provided by paragraph (a) (2) may be reduced to the amount determined by the District Office to be necessary for his business in such naphtha (and his business in other gasolines.

9. A center heading immediately before \$1394.8365 is added to read as follows:

10. Sections 1394,8365, 1394,8366, 1394,-8367 and 1394.8368 are added to read as follows:

§1394.8365 Area in which naphthas, etc. even though not used or blended for use as fuel in a motor vehicle, are ra-(a) Naphthas, aromatics, synthetic rubber raw materials, solvents or specialties, having an ASTM 10% distillation point below 220° Fahrenheit (ASTM D86-40), are rationed by this order in PAW District No. 2. This District includes the States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Ohio, Indiana, Kentucky, and Tennessee. These products (called rationed naphtha) are treated as gasoline in these States for all the purposes of this order, except where a provision of this order provides specifically otherwise.

(b) Rationed naphtha does not include any of the following:

(1) A product excluded by §1394.7551 (a) (12) (iii), from the definition of gasoline;

(2) A product under control by the

War Production Board;

(3) A product in (or used directly from) a container of eight (8) fluid ounces or less, packaged by a person receiving a non-highway ration for the purpose or packaged outside PAW District No. 2; or

(4) A product included in a continuous shipment that starts and ends outside PAW District No. 2.

A product used or blended for use as fuel in a motor vehicle and not excluded by § 1394.7551 (a) (12) (iii) from the definition of gasoline, is not considered rationed naphtha but is rationed as gasoline under the other provisions of this

§ 1394.8366 Shipment of rationed naphtha into PAW District No. 2 from outside. (a) The first person, in point of time, who has possession (other than as a common or contract carrier) in a State in PAW District No. 2 of rationed naphtha shipped from outside the District, must be either a licensed distributor or a consumer. No ration evidence shall be exchanged for his acquisition of the rationed naphtha. If he is a licensed distributor, he must report it as a receipt on OPA Form No. R-550, supported by a copy of the tax report and schedules submitted to the motor fuel tax administration or (if he does not account to such administration) by a Statement showing the name and address of the supplier, and the amount and date of the shipment; and he must transfer, use, or otherwise dispose of it only in the manner in which he may transfer, use, or otherwise dispose of other gasoline (or pursuant to § 1394.8367). If he is a consumer (who is not a licensed distributor), he must report it to his Board within seven (7) days of the acquisition and surrender to the Board, at the time of the report, evidences having a gallonage value equal to the amount of the gasoline acquired.

§ 1394.8367 Shipment of rationed naphtha out of PAW District No. 2 from

inside. (a) No evidence shall be exchanged for a transfer of rationed naphtha by a dealer or distributor in PAW District No. 2 to without this District (or for immediate shipment to without this District). The transferor must prepare an invoice, delivery ticket, or other customary evidence of transfer showing the names and addresses of both transferor and transferee, and the date and amount of the transfer. He must secure the transferree's signed certification on the document that the transferee received the transfer shown thereon; a bill of lading issued by a common carrier may be substituted for this certification.

(b) Within fifteen (15) days after the transfer, the dealer or intermediate distributor must surrender to his Board this document with the bill of lading, if any. It must be accompanied by a signed statement from the transferor that he has not received any evidence for the transfer. If the Board is satisfied that he has complied with the requirements of paragraphs (a) and (b), that the statements made are true, and that rationed naphtha was transferred from within to without PAW District No. 2, the Board shall issue a check to the transferor in the amount of the transfer.

(c) The licensed distributor must surrender the document, with the bill of lading, if any, along with his report on OPA form No. R-550 for the month in which the transfer occurred. (He must report the transfer as ration-free.)

§ 1394.8368 Report of sales of unrationed naphtha by licensed distributors in PAW District No. 2. (a) A licensed distributor in PAW District No. 2, who includes in his R-550 report the rationfree transfer by him of aromatics, synthetic rubber raw materials, solvents or specialties, having an ASTM 10% distillation point at or above 220° Fahrenheit (ASTM D86-40), shall submit with the report copies of invoices, delivery tickets, or other customary evidences of transfer to him of such products prepared by his transferors, showing the names of the transferors and transferee and the date and amount of the transfers, and that the product transferred has an ASTM 10% distillation point at or above 220° Fahrenheit (ASTM D86-

This amendment shall become effective November 20, 1944.

Note: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 12, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 8th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17150; Filed, Nov. 8, 1944; 11:47 a. m.]

PART 1418-TERRITORIES AND POSSESSIONS [MPR 288, Amdt. 37]

DISTILLED SPIRITS AND WINE IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1418.363 (dd), Table XXX is

added to read as follows;

(dd) Table XXX-Maximum prices for drinks of distilled spirits, wine and beer sold by drinking establishments-(1) What this section does. This section fixes dollars-and-cents ceiling prices for drinks of certain distilled spirits, wine and beer when sold by drinking establishments for consumption on the premises.

(2) How your ceiling prices are fixed. (i) This section divides drinking establishments into two classes-Class A and Class B. Your establishment is in Class

(a) It is a cabaret subject to the Federal Excise tax on cabarets contained in Chapter 10 of the Internal Revenue Code, as amended; or

(b) It is operated on the premises of a hotel containing more than 50 rooms for transient guests; or

(c) It provides table service only for

all patrons.

Your establishment is in Class B if it is not in Class A. If you operate on the same premises two drinking establishments, one of which is devoted exclusively to serving drinks at tables and the other is devoted to serving drinks at a bar, and each such establishment is in a separate room with separate means of access from the street, the Class A prices may be charged for drinks served in the establishment devoted exclusively to table service.

(ii) The ceiling prices for drinks of distilled spirits and wine are uniform for the entire Territory and depend only on the class to which your establish-ment belongs. Your ceiling prices for beer depend not only on the Class to which your establishment belongs, but also on the locality where your establishment is. For the purpose of pricing beer the Territory is divided into three zones-Zone I, Zone II and Zone III. These zones are defined in Schedule D.

(3) Private clubs or non-profit associations. A private club or non-profit association shall be subject to this sec-

(4) Posting ceiling prices. Notwithstanding the provisions of § 1418.358 (b) of this regulation, you must conspicuously post and keep posted a copy of this section and the ceiling prices of the drinks covered by it, either by:

(i) Supplying your customers with menus or bills of fare showing the Class of your establishment, and showing the ceiling price of each class and type and

portion of drink, or

(ii) Posting a sign giving the same information as required on menus or bills of fare by subdivision (i) above. Such a sign must be not less than 11" x 17" in size, printed in bold let-

(5) Evasive practices. You must not do anything which will result in an evasion of this section, including the following:

(i) You may not serve or sell any straight drink in a glass or other container unless it has a capacity of at least one fluid ounce.

(ii) You may not serve or sell any highball, mixed drink or cocktail unless it contains at least one fluid ounce of

distilled spirits.

(iii) Except for table service, you may not pour or mix any drink unless it is done in full view of the customer ordering the drink, and in such a manner that he can observe it.

(iv) You may not make any cover, minimum, service, entertainment, checking, parking, or other special charge. However, if any such charge was in effect on December 6, 1941, you may file an application with the Territorial Office of the OPA in Juneau for permission to continue to make such charge at the price in effect on December 6, 1941.

(v) You may not require, as a condition of selling any drink covered by this section, the purchase of other drinks, beverage, meals or food items, unless required to do so by Territorial or local

laws.

(6) Definitions. When used in this section the term:

(i) "Beer" means any malt beverage and includes lager, ale and porter.

(ii) "Chaser" means any soft drink served with a straight drink of distilled spirits.

(iii) "Distilled spirits" means a distilled or compounded alcoholic beverage of not less than 80° proof, except that sloe gin of not less than 70° proof shall be considered "distilled spirits"

(iv) "Domestic" means manufactured or produced in the continental United States or in Puerto Rico or the Virgin

(v) "Drink" means a single portion of distilled spirits, wine or beer served in a

glass or other container.

(vi) "Drinking establishment" includes any place, establishment, or location, whether temporary or permanent, at or from which any distilled spirits, wines or beers are sold primarily for consumption on the premises. The term drinking establishment includes, but is not limited to, establishments such as bars, cocktail bars, barrooms, taverns, cafes, restaurants, hotels, boarding houses, soda fountains, etc.

(vii) "Highball" means a drink containing not less than one ounce of distilled spirits diluted with carbonated

water or any soft beverage.

(viii) "Imported" means manufactured or produced outside of the continental United States and its Territories.

(ix) "Judicial Divisions" refers to the four district court and recording divisions of the Territory of Alaska and their boundaries established by Chapter XII, Article I, section 1991, Compiled Law of Alaska, 1933.

(x) "Mixed drink" or "cocktail" means a drink containing not less than one fluid

ounce of distilled spirits mixed with such ingredients as bitters, sugar and flavorings in various proportions.

(xi) "Straight drink" means a drink of not less than one fluid ounce of distilled spirits, served with or without a chaser as the customer may request.

(xii) "Wine" means any vinous bever-

age, produced by fermentation, containing not less than 7 per cent, and not more than 24 per cent, alcohol by volume.

(xiii) "Proof" means the proof stated

on the label of distilled spirits.

SCHEDULE A-MAXIMUM PRICES FOR STRAIGHT DRINKS AND HIGHBALLS

	Maxi price dri	per
Class and type of distilled spirits	Class A estab- lishment (in cents)	Class B estab- lishment (in cents)
I. Any corn, Scotch-type, blended, spirit blend, Bourbon or rye whiskey of less than 100° proof. Any rum of less than 100° proof. Any domestic brandy.	45	40
II. Any Canadian, Irish or Scotch whiskey 8 years old or less	55	50
proof or bottled in bond.  III. Any whiskey over 8 years old.  Any rum of 100° proof or over.  Any imported brandy over 8 years old.	70	65

Note 1. If the customer requests a chaser (other than plain water) you must serve the chaser without charge; if the chaser is not served upon request, five cents must be deducted from the applicable ceiling price per drink. However, you may make a charge, not exceeding ten cents, for any chaser which consists of a commercially bottled carbonated beverage of not less than six fluid ounces, provided the customer requests such chaser and you serve it in the original bottle. No charge may be made for any other type or quantity of chaser.

Note. 2. You may not charge more than the ceiling price fixed in Schedule A for a straight drink or highball which contains more than one fluid ounce (but less than two fluid ounces), of distilled spirits. may, however, charge not in excess of double the applicable ceiling price for a drink which contains at least two fluid ounces of distilled

SCHEDULE B-MAXIMUM PRICES FOR MIXED DRINKS OR COCKTAILS

Maximum price per drink, Class A establishment (in cents): 0.55.

Maximum price per drink, Class B establishment (in cents): 0.55.

Note: You may not increase the ceiling price even though the drink you serve contains more than one fluid ounce of distilled

SCHEDULE C-MAXIMUM PRICES FOR DOMESTIC STILL WINES

	Maximum price per portion					
Portion (minimum)		establish- ment				
2 fluid ounces 3 fluid ounces 4 fluid ounces 5 fluid ounces	20 30 35 40	15 25 30 35				

ters and figures, and must be posted in your establishment at a place where it can easily be seen and read by your customers.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

SCHEDULE D-MAXIMUM PRICES FOR BEER

	Tipe and	Max	lmum pr	ice per b	ottle	
rn beer—II to 13 ounce bottle	Zone	9 I 1	Zone	II:	Zone III *	
	Δ	В	A	В	A	В
Eastern or Western beer—8 ounce bottle.  Western beer—11 to 13 ounce bottle.  Eastern beer—11 to 13 ounce bottle.  Western beer—32 ounce bottle.  Eastern beer—32 ounce bottle.	\$0, 25 .30 .35 .75 .85	\$0. 20 . 25 . 30 . 65 . 75	\$0.30 .35 .40 .85 .90	\$0. 25 .30 .35 .75 .80	\$0.35 ,40 ,45 ,95 1.00	\$0.30 .30 .40 .80

(As used herein, Eastern beer means domestic beer produced outside of the States of Washington, Oregon and California; Western beer means beer produced within the States of Washington, Oregon and California.)

Note 1: Zone I includes the territory lying within the 1st Judicial Division.

Note 2: Zone II includes the territory lying within the 2nd and 3rd Judicial Divisions.

Note 3: Zone III includes the territory lying within the 4th Judicial Division.

This amendment shall become effective November 13, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator

[F. R. Doc. 44-17151; Filed, Nov. 8, 1944; 11:48 a. m.]

## TITLE 46-SHIPPING

Chapter II-United States Maritime Commission

Subchapter E-War Contracts

[Gen. Order 57, Supp. 2]

PART 298-SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

### MISCELLANEOUS AMENDMENTS

The regulations with respect to the settlement of claims arising under terminated war contracts, dated August 10, 1944 (9 F.R. 9837), as amended August 24, 1944 (9 F.R. 10719), are further amended by revising §§ 298.41, 298.42, 298.62, 298.82, and 298.83 to read:

§ 298.41 Approved forms. Termination claims under war contracts shall be submitted on copies of the contract settlement forms prescribed by the Director of Contract Settlement on October 13, 1944 (9 F.R. 12541), or on such other forms as may hereafter be prescribed by

§ 298.42 Place for filing. Termination claims arising under any contract entered into on behalf of the Commission by the Director, Procurement Division, should be filed with the Chief, Termination Section, Procurement Division, United States Maritime Commission, Washington 25, D. C. Termination claims arising under any contract entered into for and on behalf of the Commission by any one of its agents should be filed with such agent. Termination claims arising under any prime contract for the construction of vessels should be filed with the Regional Director of Construction for the region in which the contractor was performing the contract work. The addresses of the Regional Directors of Construction are: The Regional Director of Construction, East Coast Region, United States Maritime

Commission, 1015 Chestnut Street, Philadelphia 7, Pennsylvania; the Regional Director of Construction, Gulf-Great Lakes Region, United States Maritime Commission, 348 Baronne Street, New Orleans 12, Louisiana, or 310 So. Michigan Avenue, Chicago 4, Illinois; and the Regional Director of Construction, West Coast Region, United States Maritime Commission, Financial Center Building, Oakland 12, California. Termination claims arising under any terminated subcontract should be filed with the war contractor who placed such subcontract. except in those cases where the claim is to be settled directly by the Commission as hereinafter provided.

§ 298.62 Fixed-price supply contracts. A termination claim arising under a terminated fixed-price supply contract will be approved if the amount of such claim is not in excess of the amount specified in subparagraphs (1), (2), and (3) of paragraph (d) of the aforementioned Uniform Termination Article for Fixedprice Supply Contracts (see § 298.21), or in the case of a negotiated settlement if the amount is determined in accordance with the provisions of Regulation 7 of the Office of Contract Settlement (9 F.R. 12285): Provided, That the profit shall be calculated in the manner specified in paragraph 5 (c) (2) of such regulation, except in those cases where there is documentary proof in the form of an estimate or otherwise that both the contractor and the officer of the Commission who negotiated or awarded the contract contemplated at the time the contract was entered into a profit in excess of that allowable under said paragraph 5 (c) (2).

§ 298.82 Review of and policy governing approval. No approval of the termination claims of subcontractors, granted under the provisions of § 298.81 hereof, shall be binding upon the Commission if the amount of the claim shall exceed the sum of \$5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission. In approving termination claims arising under fixedprice supply orders or subcontracts the officers of the Commission shall conform to the provisions of Regulation 6 of the Office of Contract Settlement (9 F.R.

12283) and the applicable provisions of Regulation 7 of the Office of Contract Settlement. Profit in excess of that provided for in paragraph 5 (c) (2) of said Regulation 7 shall not be allowed unless there is documentary proof that at the time the supply order or subcontract was entered into the parties contemplated or agreed to a greater profit. In no event shall there be taken into account profit contemplated or agreed to in excess of 10 per centum of the price stipulated in the supply order or subcontract.

§ 298.83 Settlement without approval. Settlements of termination claims arising under subcontracts may be made by war contractors without approval when such settlements are made on the basis of settlement proposals submitted by subcontractors on copies of OCS Form 1a (9 F.R. 12547) or use where it is proposed to retain or dispose of all inventory and the amount of the net settlement proposal is less than \$1,000. War contractors may also make settlement of termination claims arising under subcontracts without approval in the event that (1) the amount of the claim does not exceed \$5,000, and (2) authority has been granted by the Settlement Review Board so to settle claims: Provided, That any such authority may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Chairman or Acting Chairman of such Board. Application for authority so to settle subcontract claims should be made to the Settlement Review Board, United States Maritime Commission, Washington 25, D. C. Except as hereinbefore provided, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

(58 Stat. 649)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS, Secretary.

NOVEMBER 7, 1944.

[F. R. Doc. 44-17128; Filed, Nov. 8, 1944; 11:18 a. m.]

## TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

PART 97-REROUTING OF TRAFFIC [S. O. 247-A]

COTTON AT OR EN ROUTE TO BIG SPRINGS, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of November, A. D. 1944

Upon further consideration of Service Order No. 247 (9 F.R. 12975) of October 28, 1944, and good cause appearing therefor; It is ordered, That: (a) Service Order No. 247 (9 F.R. 12975) of October 28, 1944, requiring cotton at and en route to Big Springs, Texas, to be forwarded for compression at Marlin or Waco, Texas, by the Export Oil Compress Company, be, and it is hereby, vacated and set aside.

(b) Announcement of vacation of suspension. Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof of the suspension made by Service Order No. 247 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, sec. 4, 10, 54 Stat. 901, 912; 49 U.S.C.

1 (10)-(17), 15 (4)) It is further ordered, That this order shall become effective at 12:01 a.m., November 9, 1944; that a copy of this order shall be served on the Railroad Commission of Texas; a copy of this order and direction shall be served upon The Texas and Pacific Railway Company, and the International-Great Northern Railroad Company (Guy A. Thompson, Trustee) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Fed-

By the Commission, Division 3.

[SEAL]

eral Register.

W. P. BARTEL. Secretary.

[F. R. Doc. 44-17111; Filed, Nov. 8, 1944; 11:27 a. m.]

# Chapter II-Office of Defense Transportation

|Suspension Order ODT 14-1]

PART 521-CONSERVATION OF MOTOR EQUIPMENT

RACING; SUSPENSION

Pursuant to Executive Orders 8989, as amended, and 9156, it is hereby ordered, that:

§ 521.2400 Partial suspension of provisions of General Order ODT 14, as amended. The provisions of General Order ODT 14, as amended (7 F.R. 5091 and 5251) are hereby suspended as to any motor vehicle propelled by fuel and mounted on tires which fuel and tires are not the subject of allocation or rationing regulations of the Federal Gov-

This Suspension Order ODT 14-1 shall become effective November 8, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 8th day of November 1944.

> J. M. JOHNSON, Director Office of Defense Transportation.

[F. R. Doc. 44-17096; Filed, Nov. 7, 1944; 1:39 p. m.]

# Notices

INTERSTATE COMMERCE COMMIS-SION.

APPOINTMENT OF PERMIT AGENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

78. A. N. Crawford, Holly Springs, Miss.

79. Robin Weaver, Clarksdale, Miss. 80. S. N. Dodson, Brinkley, Ark.

T. R. Gregory, Greenwood, Miss. James Manley, Forrest City, Ark.

83. Henry Plauche, New Orleans, La. 84. T. T. Bonner, New Albany, Miss. 85. J. P. McCabe, Ittabena, Miss.

86. E. W. Simmons, Blytheville, Ark.

87. Ernie Horne, Russellville, Ark. J. W. Sprott, Leland, Miss.

Item 49 on notice dated November 6, 1944, is hereby corrected to read:

49. C. E. Rundell, Winnsboro, La., instead of Winnsboro, Ark.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of November 1944.

> V. C. CLINGER. Director, Bureau of Service.

[F. R. Doc. 44-17112; Filed, Nov. 8, 1944; 11:27 a. m.l

[S. O. 70-A, Special Permit 667]

RECONSIGNMENT OF CABBAGE AT FORT WAYNE, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies

to the reconsignment at Fort Wayne, Ind., November 4, 1944, by Himmelstein Bros. of car PFE 36640, cabbage, now on the Nickel Plate Railroad, to Lake Eric Canning Company, Sandusky, Ohio. (NKP).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Reg-

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER, Director. Bureau of Service.

[F. R. Doc. 44-17113; Filed, Nov. 8, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 668]

RECONSIGNMENT OF POTATOES AT GRAND FORKS, N. DAK.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions Service Order No. 70-A insofar as it applies to the reconsignment at Grand Forks, N. D. November 4, 1944, by Potato Sales Company of car WFE 60717, potatoes, now on the Great Northern RR., to Potato Sales Co., East Grand Forks, Minn. (GN).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17114; Filed, Nov. 8, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 669]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 4, 1944, by Bacon Brothers, of car NWX 4648, potatoes, now on the Wood Street Terminal, to John Panozzo, Thornton, Illinois (C&EI).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commis-sion at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17115; Filed, Nov. 8, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 670]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 4, 1944, by Lapidus and Sons of car SFRD 32951, lettuce, now on the CB&Q Railroad to Quality Fruit Company, Manitowoc, Wisconsin (CNW)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17116; Filed, Nov. 8, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 671]

RECONSIGNMENT OF SPROUTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 4, 1944, by Gridley Maxon of car PFE 70742, sprouts, now on the CB&Q, to Yeckes Eichenbaum, New York, N. Y. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER, Director. Bureau of Service.

[F. R. Doc. 44-17117; Filed, Nov. 8, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 672]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 4, 1944, by F. E. Baldwin of car NWX 1260, potatoes, now on the Wood Street Terminal, to Farber & Sons, Dubuque, Iowa (CGW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER. Director. Bureau of Service.

[F. R. Doc. 44-17118; Filed, Nov. 8, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 673]

RECONSIGNMENT OF GRAPEFRUIT AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A ins. ar as it applies to the reconsignment at Chicago, Illinois, Novem-1944, by Jack Carl Company of car ART 18379, grapefruit, now on the Wabash Railroad to A. L. Shafton Company, Stevens Poin+, Wisconsin (CMStP&P).

The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER, Director. Bureau of Service.

[F. R. Doc. 44-17119; Filed, Nov. 8, 1944; 11:28 a. m.J

[S. O. 70-A, Special Permit 674]

RECONSIGNMENT OF ONIONS AT KANSAS CITY, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, November 4, 1944, by Piowaty Bergart Company of car ART 20343, onions, now on the Missouri Pacific Railroad to Piowaty Bergart Company, Chicago, Illinois. (Alton)

The waybill shall-show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of November 1944.

> V. C. CLINGER. Director. Bureau of Service.

[F. R. Doc. 44-17120; Filed, Nov. 8, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 675]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 6, 1944, by S. Friedmen & Sons of car NWX 8555, potatoes, now on the Wood Street Terminal to National Produce Company, Indianapolis, Ind. (CI&L).

The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads. Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of November 1944.

V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17121; Filed, Nov. 8, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 676]

RECONSIGNMENT OF LETTUCE AT CHICAGO,

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 6, 1944, by Price Wolock & Selan, of car PFE 29823, lettuce, now on the CB&Q Railroad to Price Wolock & Selan, New York (Erie).
The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of November 1944.

> V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17122; Filed, November 8, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 677]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, November 6, 1944, by Piowaty Bergart Company of car PFE 91097, onions, now on the Wabash Railroad to Piowaty Bergart Com-pany, Chicago, Illinois. (Wab). The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by deposting a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of November 1944.

> V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 44-17123; Filed, Nov. 8, 1944; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUS-TODIAN.

ROSE LATINO, ET AL.

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 2119 of September 7, 1943, (8 F.R. 14241) the Alien Property Custodian vested, together with other property, Lot. No. Five (5), in Block Fourteen (14), in Houston City Street Railway Addition No. Four, City of Houston, S. S. B. B. as property of a national of a foreign country designated in Executive Order No. 8389, as amended; and

Whereas, Rose Latino, Frank Latino, Agnes Latino, Biagio Latino and Carmela Armao, have filed Claim No. 2274, which asserts that the claimants are residents of New York and that they are the sole owners of Lot No. Five (5), in Block

Fourteen (14), so vested.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended. (8 F.R. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members therof on Tuesday, November 21, 1944, at 3:00 p. m. eastern war time, at the Office of Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the committee may determine. It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimants and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before Novem-

ber 16, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS [SEAL] COMMITTEE, JOHN C. FITZGERALD,

NOVEMBER 6, 1944.

[F. R. Doc. 44-17127; Filed, Nov. 8, 1944; 11:30 a. m.]

Chairman.

# OFFICE OF PRICE ADMINISTRATION.

IMPR 120, Order 11111

### BIG THREE MINE

### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

(a) The Big Three Mine, a deep mine, located in Subdistrict No. 18 of District No. 17, of The Big Three Mine, a partnership in Rifle, Colorado, is hereby assigned Mine Index No. 1005.

(b) Coals produced by The Big Three Mine, in Garfield County, Colorado, from its Big Three Mine, from the Rauman Seam, Mine Index No. 1005 in District No. 17. may be purchased and sold for truck shipments at per net ton prices f. o. b. the mine in cents per net ton not exceeding the following:

Tarrel -			Size g	roup 1	No.		
	1 to 4, incl.	5 to 7, incl.	8 to 10, incl.	11-12	13 to 15, incl.	16	17,
Truck ship- ment	545	510	495	320	255	195	395

(c) All prayers of applicant not granted herein are hereby denied.

(d) This order may be revoked or

amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective November 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17134; Filed, Nov. 8, 1944; 11:50 a. m.]

[MPR 120, Order 1112]

TRIANGLE COAL AND CLAY CORP.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

For the reasons set forth in an opinion Issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

(a) The Triangle No. 2 Mine of Triangle Coal and Clay Corporation, located in Vigo County, Indiana, in the Brazil Clinton Subdistrict of District No. 11, is hereby assigned Mine Index No. 2013, and its coals are classified in Maximum Price Group No. 1 for rail shipments and for railroad locomotive fuel, and in Maximum Price Group No. 2 for truck shipments.

(b) Coals produced by Triangle Coal and Clay Corporation, in Vigo County, Indiana, from the No. 6 Seam at its

Triangle No. 2 Mine, Mine Index No. 2013 in District No. 11, may be purchased and sold at per net ton prices in cents per net ton not exceeding the following:

		Size group No.														166
	1, 2, 8	4, 5, 6,	1	B. 10.	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	16	33	34
Rail shipment Truck shipment	240 320	240 305	200 255	215 245	230 260	175 225	205 250	190 240	195 245	135 160	-170 195	155 180	160 185	105 130	155 190	195 230

### RAILROAD LOCOMOTIVE FUEL

Mine run, modified mine run and all lump and all double-screened coals\_\_ 240 Screenings, top size not exceeding 2"\_\_ 185

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or

amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective November 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17135; Filed, Nov. 8, 1944; 11:51 a. m.]

[MPR 120, Order 1113]

FERRIS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

Ferris Coal Co., 371 South St., East Palestine, Ohio, Ferris Coal Co. Mine, No. 7 Seam, Mine Index No. 3133, Columbiana County, Ohio, Subdistrict 4, Strip Mine, Price Classification, Leetonia Freight Origin District, Railroad Fuel Price Group No. 113, Rail Shipping Point, East Palestine, Ohio

	Size group Nos.											
	1	2	8	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel Truck shipment 1	330 385	325 375	300 360	295 335	290 330	280 295	250 270	240 260	280	235		280

<sup>1</sup> Previously established.

Frowine Construction Corp., 821 Prospect St., Portsmouth, Ohio, Waugh Mine, No. 8 Seam, Mine Index No. 4089, Gallia County, Ohio, Subdistrict 8, Strip Mine

Size group Nos					000000	COUNT				330/535	Bessel
Size group Nos	380	370	360	335	330	265	205	205	*****	 	

B. A. Gardetto, Inc., Equitable Bldg., Lancaster, Ohio, Roxbury #2 Mine, No. 5 Seam, Mine Index No. 4088, Perry County, Ohio, Subdistrict 6, Strip Mine, Price Classification, Crooksville Freight Origin District, Railroad Fuel Price Group No. 111, Rail Shipping Point, New Lexington, Ohio

C. W. Holderman & Co., 297 S. High St., Columbus, Ohio, Holderman Mine, No. 6 Seam, Mine Index No. 4068, Perry County, Ohio, Subdistrict 5, Strip Mine, Price Classification, Hocking Freight Origin District, Railroad Fuel Price Group Nos. 102 and 111, Rail Shipping Point, Shawnee, Ohio

Rail shipments and railroad fuel Truck shipment	350 365	345 855	305 345	305 320	305	275 265	255 230	245 220	275	245		275
Without himself and the same and the same	900	000	0.20	NAME:	0.40	W-(7)0	AND DE	WW.00		*****	****	2000000

THE JEFFERSON COAL CO., 1300 LEADER BLDG., CLEVELAND, OHIO, DUNCANWOOD NO. 8-A MINE, NO. 8-A SEAM, MINE INDEX NO. 4091, HARRISON COUNTY, OHIO, SUBDISTRICT I, STRIP MINE, PRICE CLASSIFICATION, OHIO NO. 8 FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP NO. 119, RAIL SHIPPING POINT, ADENA, OH O

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rall shipment	310 275 360	305 275 350	275 275 335	275 275 310	270 275 305	260 260 280	235 220 255	225 220 245	260 235	210 220		260 260

NEW ALBANY COAL CO., 23 N. ELM ST., COLUMBIANA, OHIO, SIGNAL MINE, No. 6 SEAM, MINE INDEX NO. 4087, COLUMBIANA COUNTY, OHIO, SUBDISTRICT 4, STRIP MINE, PRICE CLASSIFICATION, LEETONIA FREIGHT ORIGIN DISTRICT, RAILEOAD FUEL PRICE GROUP NO. 115, RAIL SHIPPING POINT, SIGNAL, OHIO

The second secon	Language.		72.243	DAME F		1000	200	0.10	2000	995	-	280
Rail shipments and railroad fuel	330	325	300	295	290	280	250	260	280	200		200
Truck shipment	000	010	200	000	000	-						

THE YOUGHIOGHENY & OHIO COAL CO., HANNA BLDG., CLEVELAND, OHIO, DOROTHY #2 MINE, NO. 8 SEAM, MINE INDEX NO. 4075, JEFFERSON COUNTY, OHIO, SUIDISTRICT 1, STRIP MINE, PRICE CLASSIFICATION, OHIO NO. 8 FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP NO. 113 AND 119, RAIL SHIPPING POINT, GLEN ROPPINS, ONC.

Rail and river shipments	310	305				235 220	225 220			*****	260 260
Railroad fuel	275 360	27.5 350	275 235		260 280	255	245	400	220		

PLAINFIELD MINING CO., BOX 25, PLAINFIELD, OHIO, PLAINFIELD MINING CO. MINE, NO. 6 SEAM, MINE INDEX NO. 4082, COSHOCTON COUNTY, OHIO, SUPDISTRICT 4, DEEP MINE, PRICE CLASSIFICATION, MIDDLE FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP NO. 112, RAIL SHIPPING POINT, WEST LAFAVETTE, OHIO

Rail shipments and railroad fuel Truck shipment	330 365	325 355	300 345	295 320	290 315	280 265	250 230	240 220	280	 	280

This order shall become effective November 9, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of November 1944,

CHESTER BOWLES,
Administrator.

[F, R. Doc. 44-17136; Filed, Nov. 8, 1944; 11:51 a, m.]

[MPR 120, Order 1114] BARILAR & MOTTEY, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate

named mines assigned the mine indexnumbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b, the mine or preparation plant and when stated to be for rail shipment or for

railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

BARILAR & MOTTEY, ANITA, PA., BARILAR & MOTTEY MINE, D SEAM, MINE INDEX NO. 5231, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, ANITA, PA., STRIP MINE

		Nos.			
Price classification	1 E 355 320 365	E 335 320 340	E 335 305 340	E 315 295 330	5 E 315 295 320

N. FERRARA, ANITA, PA., FERRARA NO. 3 MINE, D. SEAM, MINE INDEX NO. 5230, JEFFERSON COUNTY, PA., SURDISTRICT 6, RAIL SHIPPING POINT, ANITA, PA., STRIP MINE

Price classification	E	E	E	E	E
	355	335	335	315	315
	320	320	305	295	295
	365	340	340	330	320

SPENCER & MAUK, P. O. BOX 247, PUNXSUTAWNEY, PA., HENERY DEEP MINE, D. SEAM, MINE INDEX NO. 5226, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPFING POINT, ANITA AND/OR REYNOLDSVILLE, PA., DEEP MINE

Price classification	E	E	E	E	E
	355	335	335	315	315
	320	320	305	295	295
	365	340	340	330	320

SPENCER & MAUK, P. O. BOX 247, PUNXSUTAWNEY, PA., HENEBY STRIP MINE, D. SEAM, MINE INDEX NO. 5225, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, ANITA AND/OR REYNOLDSVILLE, PA., STRIP MINE

Rail shipment 355 Railroad locomotive fuel 320 Truck shipment 365	335	335	315	315
	320	305	295	295
	340	340	330	320

SPENCER & MAUK, P.O. BOX 247, PUNNSUTAWNEY, PA., ELLIOT DEEP MINE, D SEAM, MINE INDEX NO. 5228, JEFFERSON COUNTY, PA. SUBDISTRICT 6, RAIL SHIPPING POINT, ANITA AND/OR REYNOLDSVILLE, PA., DEEP MINE

A THE PARTY OF THE	Size group Nos.				
	1	2	3	4	5
Price classification	E 355 320 365	E 335 320 340	E 335 305 340	E 315 295 330	E 315 295 320

SPENCER & MAUK, P. O. BOX 247, PUNXSUTAWNEY, PA., ELLIOT STRIP MINE, D SEAM, MINE INDEX NO. 5227, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIP-FING POINT, ANITA AND/OR REYNOLDSVILLE, PA., STRIP MINE.

Price classification	E	E	E	E	E
	355	335	335	315	315
	320	320	305	295	295
	365	340	340	330	320

SPENCER & MAUN, P. O. BOX 247, PUNXSUTAWNEY, PA., S & M MINE, D SEAM, MINE INDEX NO. 5229, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIP-PING POINT, ANITA, PA., STRIP MINE

Size Group Nos	E 355 320	2 E 335 320 340	3 E 335 305 340	4 E 315 295 330	5 E 315 295 320
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ROY WALKER, ANITA, PA., ROY WALKER MINE, D. SEAM, MINE INDEX NO. 5232, JEFFERSON COUNTY, PA., SUB-DISTRICT 6, RAIL SHIPPING POINT, ANITA, P., DEEP MINE.

1	2	3	4	5
E	E	E	E	E
355	335	335	315	315
320	320	305	295	295
365	340	340	330	320

This order shall become effective November 9, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17137; Filed, Nov. 8, 1944; 11;51 a. m.]

[Max. Import Price Reg., Order 49] Helbros Watch Co.

ADJUSTMENT OF MAXIMUM PRICES

### Correction

In the table under paragraph (b) of F. R. Doc. 44–15470, appearing on page 12305 of the issue for Tuesday, October 10, 1944, the maximum price to retailers for series "46000" should read; "\$12.95."

[MPR 136, Rev. Order 338]

DIAMOND EXPANSION BOLT Co.

DETERMINATION OF MAXIMUM PRICES

Revised Order No. 338 under Maximum Price Regulation 136, as amended, Machines and parts, and machinery services. Diamond Expansion Bolt Company, Docket No. SO-28-6130).

Order No. 338 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 338 under Maximum Price Regulation 136, as amended, and is revised and amended to read as

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Adminis-trator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended. It is ordered:

(a) Diamond Expansion Bolt Com-pany, Garwood, New Jersey, shall determine the maximum price for each of its parts set forth below, by multiplying the maximum price in effect on March 31, 1942 to each class of purchasers, by the following applicable percentage (the discounts, allowances and terms of delivery in effect on March 31, 1942 shall remain in effect):

Part:	Percentage
Stone drills	1121/2
Drive rings	1161/2
Aerial cable supports	120
Grade clamps	1121/2
Bonding ribbon clamps	
Strand ground clamps	
Needle point test picks	
Splicer's test points	
Ground wire clamps	
Span clamps	
Storage battery carriers	
Strand loading case supports_	
B. electrode welders	

(b) Resellers of the parts listed in paragraph (a) above are authorized to add to their maximum prices in effect on March 31, 1942, to each class of purchasers, the following:

(1) The applicable dollars-and-cents amounts of the increased costs due to the adjustment in maximum prices granted to the Diamond Expansion Bolt Com-

pany in paragraph (a) above; and (2) The resellers' customary markup on such increased costs.

(c) All requests not granted herein are denied.

(d) This revised order may be amended or revoked by the Administrator at any time.

This revised order shall become effective November 9, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17138; Filed, Nov. 8, 1944; 11:49 a. m.]

[MPR 136, Order 350]

STEWART-WARNER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register: and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328; and in accordance with § 1390.25a of Maximum Price Regulation No. 136 and § 9.3 of Revised Supplementary Regulation No. 14; It is ordered:

Stewart - Warner Corporation. 1826-1852 Diversey Parkway, Chicago 14, Illinois, may sell and deliver the refrigerator replacement units rebuilt by it at prices no higher than those set forth below:

Sealed unit part No.	Refrigerator model No.	Maximum price to distributors	Maximum price to retailers	Maxi- mum price to ulti- mate con- sumers
120248 120249	559 and 659	\$46 44	\$55 52	\$60 57
120418	559 and 659 (25	46	55	60
120419	cycle). 459 (25 cycle)	44	52	57

These prices include a four-year replacement contract. These prices also include full freight allowance (less local cartage) as follows: In the case of sales to distributors, full freight allowance from factory to distributor, distributor to retailer, and return freight for defective unit; in the case of sales to retailers full freight allowance from factory to retailer, and return freight for defective units; in the case of sales to ultimate consumers, full freight allowance from factory to purchaser, and return freight for defective unit. The maximum prices for sales to ultimate consumers do not include labor costs for installation of the unit into the consumer's refrigerator.

(b) Wholesale distributors of Stewart-Warner rebuilt refrigerator replacement units may sell and deliver the following units, to retailers, at prices no higher than those set forth below:

Sealed unit part No.	Refrigerator model No.	Maximum price to retailers
120248 120249 120418	559 and 659	\$55 52 55 52

These prices include a four-year replacement contract and full freight allowance (less local cartage) from distributor to retailer, and return freight for defective unit.

(c) Any person may sell and deliver the following Stewart-Warner rebuilt refrigerator replacement units at retail, to ultimate consumers, at prices no higher than those set forth below:

Sealed unit part No.	Refrigerator model No.	Maximum price to ultimate consumers
120248	559 and 659.	\$60
120249	459.	57
120418	559 and 659 (25 cycle).	60
120419	459 (25 cycle).	57

These prices include a four-year replacement contract, delivery to the consumer, and return transportation for defective unit. These prices do not include labor costs for installation of the unit into the consumer's refrigerator.

(d) Any seller subject to this order may require, as part of the consideration for

the replacement unit, the surrender by the purchaser, of the defective unit which the rebuilt unit is intended to replace. In addition, any seller subject to this order may add a deposit charge of \$15.00 per unit to the price set forth in this order for sales to the particular class of purchaser. If this deposit charge is made, it must be returned or allowed in full upon the surrender of the defective unit by the purchaser of the rebuilt unit.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES. Administrator

[F. R. Doc. 44-17139; Filed, Nov. 8, 1944; 11:50 a. m.]

> [MPR 136, Order 3511 AMERICAN HYDRAULICS, INC.

Order No. 351 under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. American Hydraulics, Inc. (Docket No. 6083-136.25a-90)

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, It is ordered:

(a) The maximum price for the sale of the following grinders to wholesalers by American Hydraulics, Inc., Sheboygan, Wisconsin, shall be as follows:

	Maximum price for each	
X-3		
HX-3.5	83	
X-4-8	. 84	
X-4-L	. 97	
X-5-8	1.09	
8-4	1.09	
S-5	1.25	
T-4.		
Milwaukee 4		
Milwaukee 5		
414	1.57	
J-5	2.72	
Standard 24	2.30	
MX-2	3.55	
MX-3	3.93	
LCW	4.28	
LSP-2	3, 19	
LSP-3	3.41	
P-158-S	11.76	
P-224	2.22	
P-225	2.88	
P-226	3.04	
P-160		
P-162	21.68	
X-5-L	1.36	
T-5	1.36	

(b) The maximum prices for the sale of the following hydraulic jacks to wholesalers by American Hydraulics, Inc., Sheboygan, Wisconsin, in all states except Arizona, California, Idaho, Nevada, Oregon, Utah and Washington, shall be as follows:

	maximum price
Model:	per each
SX-107	\$5.16
5-120-H	7.21
S-209.5	4.99
8-308.5	7.68
8-310.5	7.71
8-508.5	
8-510.5	
S-809	
S-810.5	
B-810.5	

(c) The maximum prices for the sale of hydraulic jacks listed above by American Hydraulics, Inc., to wholesalers in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington, shall be determined as follows:

The manufacturer shall add to the maximum price set forth in (b) the same dollar differential for the jack in question that the manufacturer had in effect on March 31, 1942, for sales in the states just listed.

(d) The maximum price for the sale of grinders and hydraulic jacks listed in paragraphs (a) and (b) by sellers other than American Hydraulics, Inc., shall be determined as follows:

The seller shall increase the net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the percentage by which his net invoice cost has been increased, due to the adjustment granted the manufacturer by this order.

(e) American Hydraulics, Inc., shall notify all persons to whom it sells the grinders and hydraulic jacks listed in paragraphs (a) and (b) of the percentage by which this order permits resellers to increase their maximum prices.

(f) All requests not granted herein are denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 9, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17140; Filed, Nov. 8, 1944; 11:48 a. m.]

[MPR 188, Order 49 under 2d Rev. Order A-3] W. E. KAUTENBERG Co.

# ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

(a) Manufacturer's maximum prices. W. E. Kautenberg Company, Freeport, Illinois may sell and deliver the Model No. 10, Janitor Mopstick which it manufactures at its maximum net price in effect prior to the issuance of this order, plus an adjustment charge of \$1.10 per gross. This adjustment charge may be made only if separately stated and billed. The adjusted prices are subject to the manufacturer's customary terms, discounts, al-

lowances and other price differentials in effect during March 1942.

(b) Maximum prices of purchasers for resale. All purchasers for resale of the article described in paragraph (a) above may add the adjustment charge of \$1.10 per gross to their maximum net prices in effect prior to the issuance of this order, provided the adjustment charge is separately stated and billed.

(c) Notification. Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

### NOTICE OF OPA ADJUSTMENT

Order No. 49 under 2d Revised Order A-3 under MPR 138 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect prior to November 9, 1944 by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time

This order shall become effective on the 9th day of November 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17143; Filed, Nov. 8, 1944; 11:49 a. m.]

[MPR 188, Order 2513] AUTO-BYE CO.

APPROVAL OF MAXIMUM PRICES

## Correction

In F. R. Doc. 44-15636, appearing at page 12306 of the issue for Tuesday, October 10, 1944, in paragraph (a) (1) (ii), the words "those determined by applying to the" should be inserted between the words "shall be" and "prices specified" in the first sentence.

[MPR 188, Rev. Order 2645]
RYDER-TAAFFE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2645 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This revised order establishes maximum prices for sales and deliveries, to a nursery chair manufacturer by Ryder-Taaffe Manufacturing Company, 820 Metropolitan Life Building, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to the classes of purchasers specified below, the maximum prices are those set forth below:

Article	Article Model No.		Maximum price to persons, other than retailers, who sell from manufacturer's stock	Maxi- mum price to retailers	
Nursery chair	Hi-Lo	Each \$2, 45	Each \$2, 60	Each \$3, 06	

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allow-ances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administra-

(2) (i) For all sales and deliveries on and after the effective date of this revised order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

No. 224-5

This revised order shall become effective on the 9th day of November 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17141; Filed, Nov. 8, 1944; 11:48 a.m.1

# [MPR 188, Order 2836] DAVID WOODCRAFT CO.

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of eleven curio cabinets manufactured by David Woodcraft Co., 26 East 22nd Street, New

York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to per- sons, other than retailers, who resell from manu- facturer's stock	Maxi- mum price to retailers
Curlo cabinet	600 601 602 603 604 606 612 720 721 722 723	Each \$6, 80 5, 99 7, 01 5, 88 5, 53 5, 40 5, 95 9, 35 10, 88 5, 53 2, 10, 71	Each \$8. 00 7. 05 8. 25 6. 92 6. 50 6. 35 7. 00 11. 00 12. 80 6. 27 12. 60

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

		Maximum P	rice to
Article and Mod	Retailers (	each)	
Curio cabine	t, 600		\$8.00
Curio cabinet	t. 601		7.05
		District Commence of the Comme	
			6.35
			7.00
			12.80
			6. 27

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at

any time.

This order shall become effective on the 9th day of November 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17142; Filed, Nov. 8, 1944; 11:50 a. m.]

# [MPR 528, Order 19] WABER COMPANY

# AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528; It is ordered:

(a) The maximum retail prices for the following sizes of new synthetic rubber special purpose tubes manufactured for the Waber Company of Chicago, Illinois, shall be:

Passenger car		Truck and bus	
Elze	Maximum retail price, each	Size	Maximum retail price, each
8.25-17 8.25-18 8.50-16 8.50-17 6.00-16 6.00-17 6.25-16 6.50-17 7.00-15 7.00-16 7.00-17 7.00-17 7.00-16 7.00-17	\$5. 07 5. 12 5. 93 6. 02 6. 15 6. 56 7. 54 7. 68 7. 54 7. 69 9. 07 9. 34 9. 70	5.50+16 6.00-16 6.00-17 6.00-20 6.50-16 6.50-20 7.00-15 7.00-15 7.00-17 7.00-20 7.50-17 7.50-17 7.50-18 7.50-19 9.00-20 9.75-20 10.50-20 30 x 5 32 x 6 34 x 7 36 x 8 40 x 8	\$5.93 6.15 8.17 7.54 8.62 7.63 7.95 9.34 9.07 9.34 9.70 13.16 15.13 11.13 19.13 21.78 6.69 9.74 13.34 17.73

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective November 9, 1944.

Issued this 8th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17144; Filed, Nov. 8, 1944; 11:49 a.m.]

### Regional and District Office Orders.

### LIST OF COMMUNITY CEILING ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on November 4, 1944.

### REGION II

District of Columbia Order 1-0, Amendment 3, covering prices of eggs in the Washington, D. C., area, filed 10:05 a.m.

District of Columbia Order 2-F, Amendment 8, covering fresh fruits and vegetables

in the Washington, D. C., area, filed 10:06

District of Columbia Order 2-F, Amendment 7, covering fresh fruits and vegetables in the Washington, D. C., area, filed 10:05

District of Columbia Order 10, Amendment 3, covering dry groceries in certain Washington, D. C. areas, filed 10:06 a.m.

### REGION III

Charleston Order 1, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:55 a. m.

Charleston Order 1-A & 1-W, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:59 a. m.

Charleston Order 2, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:54 a. m.

Charleston Order 2-A & 2-W, Amendment 2. covering dry groceries in certain counties in West Virginia, filed 9:58 a. m.

Charleston Order 3, Amendment 3, covering dry groceries in certain counties in West

Virginia, filed 9:54 a. m. Charleston Order 3-A & 3-W, Amendment 3, covering dry groceries in certain counties in West Virginia, filed 9:57 a. m. Charleston Order 4, Amendment 2, cover-

ing dry groceries in certain counties in West Virginia, filed 9:54 a. m. Charleston Order 4-A & 4-W, Amendment

2, covering dry groceries in certain counties in West Virginia, filed 9:57 a. m.

Charleston Order 5, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:53 a. m.

Charleston Order 5-A & 5-W, Amendment 2, covering dry groceries in certain countles in West Virginia, filed 9:57 a. m.

Charleston Order 6, Amendment 2, covering dry groceries in certain counties in West Vir-

ginia, filed 9:53 a.m. Charleston Order 6-A & 6-W, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:56 a. m.

Charleston Order 7, Amendment 2, covering dry groceries in certain counties in Ohio and West Virginia, filed 9:52 a. m.

Charleston Order 7-A & 7-W, Amendment 2, covering dry groceries in certain counties in Ohio and West Virginia, filed 9:55 a.m. Charleston Order 8, Amendment 2, cover-

ing dry groceries in certain counties in West Virginia, filed 9:51 a. m. Charleston Order 8-A & 8-W. Amendment

2, covering dry groceries in certain counties in West Virginia, filed 9:55 a. m.

Charleston Order 9, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:51 a. m.

Charleston Order 9-A & 9-W, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 9:55 a.m.

Charleston Order 10, Amendment 6, covering dry groceries in the entire state of West

Virginia, filed 9:51 a.m.

Louisville Order 1-F under 3-B, Amendment 18, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana, filed 10:03 a. m.

Louisville Order 2-F under 3-B, Amend-ment 18, covering fresh fruits and vegetables in McCracken County, Ky., filed 10:03 a. m. Louisville Order 3-F under 3-B, Amend-

ment 18, covering fresh fruits and vegetables in Henderson and Daviess counties, Kentucky, filed 10:02 a. m.

## REGION IV

Birmingham Order 17, covering community food prices in Birmingham District area, filed 10:07 a. m.

Jacksonville Order 8-F, Amendment 3, covering fresh fruits and vegetables in Tampa, Fla., filed 10:02 a. m.

Jacksonville Order 9-F, Amendment 3, covering fresh fruits and vegetables in the

Jacksonville, Fla., area, filed 10:02 a. m.
Jacksonville Order 10-F, Amendment 3,
covering fresh fruits and vegetables in certain cities and towns in Florida, filed 10:06

Montgomery Order 22-F, Amendment 3, covering fresh fruits and vegetables in Hous-

ton county, Ala., filed 10:07 a.m. Roanoke Order 6-F, Amendment 1, covering fresh fruits and vegetables in Roanoke, Va., filed 10:05 a. m.

Roanoke Order 7-F. Amendment 1, covering fresh fruits and vegetables in Roanoke, Va., filed 10:04 a. m.

Roanoke Order 8-F, Amendment 1, covering fresh fruits and vegetables in Roanoke, Va., filed 10:04 a. m.

Roanoke Order 9-F, Amendment 1, covering fresh fruits and vegetables in Roanoke, Va., filed 10:04 a. m.

Roanoke Order 10-F, Amendment 1, covering fresh fruits and vegetables in Roanoke,

Va., filed 10:03 a. m. Savannah Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain

counties in Georgia, filed 10:01 a.m. Savannah Order 8-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:59 a. m.

Savannah Order 9-F, Amendment 3, covering fresh fruits and vegetables in certain

counties in Georgia, filed 9:59 a. m. Savannah Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:59 a. m.

Savannah Order 11-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Georgia, filed 10:06 a. m.

Savannah Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:59 a. m.

Arkansas Order 3-W, Amendment 3, covering community food pricing in the State of Arkansas, filed 10:08 a.m.

Arkansas Order 20, Amendment 3, covering dry groceries in the State of Arkansas, filed 10:08 a. m.

Arkansas Order 21, Amendment 2, covering dry groceries in the State of Arkansas, filed 10:07 a. m.

Arkansas Order 22, Amendment 2, covering dry groceries in the State of Arkansas, filed

Dallas Order 1-F Amendment 38, covering fresh fruits and vegetables in Dallas, Tex., filed 10:09 a. m.

Dallas Order 3-E, Amendment 1, covering prices for eggs in Dallas, Tex., filed 10:09 a. m. Dallas Order 3-W, Amendment 4, cover-

ing community ceiling prices in Dallas, filed 10:08 a. m.

Dallas Order 4-E, Amendment 1, covering prices for eggs in Dallas, Tex., filed 10:09 a.m. Dallas Order 5-E, Amendment 1, covering prices for eggs in Dallas, Tex., filed 10:09 a.m. Dallas Order 22, Amendment 22, covering

dry groceries in Dallas, Tex., filed 10:08 a. m.
Fort Worth Order 1-F, Amendment 41, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:10 a. m.

Fort Worth Order 2-F, Amendment 41, covering fresh fruits and vegetables in Fort

Worth, Tex., filed 10:11 a. m.

Fort Worth Order 3-F, Amendment 41, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:11 a. m.

Fort Worth Order 4-F, Amendment 41, covering fresh fruits and vegetables in Fort Worth, Tex., filed 10:11 a. m.

Fort Worth Order 5-F, Amendment 41, cov ering fresh fruits and vegetables in Fort Worth, Tex., filed 10:11 a. m.

Houston Order 3-F, Amendment 18, covering fresh fruits and vegetables in Houston, Tex., filed 10:12 a. m.

## REGION VI

Milwaukee Order 2-F, Amendment 40, covering fresh fruits and vegetables in Houston, Tex., filed 10:10 a. m.

Milwaukee Order 3-F, Amendment 40, covering fresh fruits and vegetables in cities of Racine and Kenosha and Milwaukee County, filed 10:10 a. m.

Milwaukee Order 5-F, Amendment 39, covering fresh fruits and vegetables in Fond du Lac and Sheboygan Counties, filed 10:10 a.m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

> ERVIN H. POLLACK, Secretary.

[F. R. Doc. 44-17097; Filed, Nov. 7, 1944; 4:53 p. m.]

[Region V Order G-6 Under RMPR 122, Amdt. 11

SOLID FUELS IN CAPE GIRARDEAU AND JACKSON, MO.

### ESTABLISHMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith; It is ordered:

Section (d), Price Schedule I, High Volatile Bituminous Coal from District 10 (Illinois), is amended to read as follows:

(A) Belleville and DeQuoin Sub-Districts (Price Groups 10, 16, 17, 18, 19, 20, 21 and 22);

\$5, 55

Groups 4, 5, 6, 8)\_ 5.25

(B) Southern Sub-District (Price Groups 1, 2, and 8): 1. Lump: Egg, bottom size larger than 2", washed or raw (Size Groups 1, 2, 3)

6.40 2. Lump; Egg, bottom size 3" or 6.10

smaller\_ 3. Nut; Pea, top size not exceeding 2", bottom size larger than 1 millimeter, washed or air-cleaned (Size Groups 21, 22) or top size larger than 28 mesh, dry dedusted (Size Group 28) ...

4. Commercial Stoker, top size not exceeding 2", washed or aircleaned screenings (Size Groups 23, 24) --

This order shall become effective the 3d day of November 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 29th day of October 1944.

C. B. BRAUN, Acting Regional Administrator.

[F. R. Doc. 44-17101; Filed, Nov. 7, 1944; 4:54 p. m.]

[Portland Order G-6 Under 18 (c)]

SLABWOOD IN ASTORIA AND SEASIDE, OREG., AREAS

# ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by General Order No. 32: It is hereby ordered:

(a) The maximum prices as estab-lished by section 2 and 3 of the General Maximum Price Regulation or by any Order issued pursuant to such regulation thereto, for the sale and delivery of the types of firewood specified below in the Astoria and Seaside areas, are hereby adjusted so that the maximum prices therefor shall be:

Type of firewood: Only that slabwood shipped by rail to Astoria and Seaside from the Strandberg Wood Co., in Marshland, Oreg., and maximum price per cord delivered to premises of buyer.

16" Green slabwood\_\_\_\_\_ \$10.25 16" Dry slabwood\_\_\_\_\_ 10.75

(b) Defintions. (1) "Astoria" as herein used means that portion of Clatsop County, Oregon, included in a 5 mile radius of the city limits of the City of Astoria.

(2) "Seaside" as herein used means that portion of Clatsop County, Oregon, included in a 5 mile radius of the city limits of the City of Seaside.

(c) Each seller shall keep this order together with his base period price list in his place of business and make it available for inspection by any person during business hours.

(d) No seller shall evade any of the provisions of this order by changing his customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) Every seller affected by this order shall remain subject to all other provisions of the General Maximum Price

Regulations.

(f) Invoice and records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is de-pendent on place of delivery, then the place of delivery shall be stated.)

The total price of the wood.

On the invoice or memorandum a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

Note: The record keeping provisions of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) This order may be revoked, amended, or corrected at any time.

This order shall become effective July

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of July 1944.

McDannel Brown. District Director. Portland District Office.

[F. R. Doc. 44-17100; Filed, Nov. 7, 1944; 4:53 p. m.]

[Portland Order G-10 Under 18 (c)]

### FIREWOOD IN CANNON BEACH-SEASIDE-ASTORIA (OREG.) AREA

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, It is hereby ordered:

(a) The maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any Supplementary Regulation thereto, for the sale and delivery of the types of firewood specified below in the Cannon Beach-Seaside-Astoria area, are hereby adjusted so that the maximum prices therefor shall be:

Maximum Prices Per Cord Delivered to Premises of Buyer in the Cannon Beach-Seaside-Astoria Area

Type of firewood: dry slabwood\_\_\_\_\_ \$11.50 16" dry slabwood\_\_\_\_\_ 12.50

(b) Definitions. (1) The "Cannon Beach-Seaside-Astoria" area as herein used means that portion of Clatsop County, Oregon as far inland as six miles from the Pacific Ocean on the West and from the Columbia River on the North and extending from Tolovana Park north and east to a point three miles East of Astoria. This area includes such cities as Cannon Beach, Seaside, Gearhart, Camp Clatsop, Warrenton, Ft. Stevens, and Astoria

(c) No seller shall evade any of the provisions of this Order No. G-10 by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(d) Invoices and records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood. On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective October 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Note: The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of October 1944.

McDannell Brown, District Director.

[F. R. Doc. 44-17099; Filed, Nov. 7, 1944; 4:53 p. m.]

[Portland Order G-11 Under 18 (c)]

FOREST WOOD IN SOUTH LINCOLN COUNTY AREA, OREG.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, It is hereby ordered:

(a) The maximum prices as established by sections 2 and 3 of the General-Maximum Price Regulation or by any previous order issued pursuant to such regulation, or by any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the South Lincoln County area are hereby adjusted so that the maximum prices therefor shall be:

> Maximum price per cord delivered to premises

Lincoln County area Type of firewood and 16" forest cordwood\_\_\_\_\_ \$11.50 4' forest cordwood\_\_\_\_\_ 10.50

(b) Definitions. (1) The "South Lincoln County" area as herein used means that portion of Lincoln County in the State of Oregon between the Pacific Ocean and a line ten miles east of and running parallel to U.S. Highway No. 101 from the South Lincoln County boundary line to a point three miles north of Otter Rock. This area includes such cities as Yachats, Waldport, Bayview, Seal Rock, Toledo, Newport, Agate Beach, and Otter

(c) No seller shall evade any of the provisions of this Order No. G-11 by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(d) Invoices and records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e. hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery then the place of delivery shall be stated.)

(6) The total price of the wood. On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective October 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Note: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of October 1944.

FREDERIC F. JANNEY, Acting District Director.

F. R. Doc. 44-17098; Filed, Nov. 7, 1944; 4:53 p. m.]

[Nashville Rev. Order G-1 Under Gen. Order 501

MALT AND CEREAL BEVERAGES IN NASHVILLE, TENN., DISTRICT

### Correction

In the table headed "Draught beer" under Appendix A of F. R. Doc. 44-15122, appearing at page 12060 of the issue for Tuesday, October 3, 1944, the price for a six-ounce glass of beer should be: ".08."

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on November 6, 1944

### REGION I

Connecticut Order 4-F, Amendment 6, covering fresh fruits and vegetables in Connecticut, filed 10:52 a. m.

Connecticut Order 4-F, Amendment 5, covering fresh fruits and vegetables in Connect-

icut, filed 10:52 a. m.

Connecticut Order 1-P, Amendment 2, covering fresh fish and seafood in Connecticut, filed 10:52 a. m.

## REGION II

Buffalo Order 1-F, Amendment 29, covering fresh fruits and vegetables in certain cities and towns in New York, filed 10:54 a. m.

Buffalo Order 2-F, Amendment 29, covering fresh fruits and vegetables in certain parts of New York, filed 10:54 a. m.

Newark Order 5-F, Amendment 4, covering fresh fruits and vegetables in Newark, filed

9:40 a. m. New York Order 1-F, Amendment 31, covering fresh fruits and vegetables in the five boroughs of the city of New York, filed 9:40 a. m

New York Order 3-F, Amendment 18, covering fresh fruits and vegetables in certain cities in New York, filed 9:40 a. m.

New York Order 6-F, Amendment 13, covering fresh fruits and vegetables in Nassau, and Westchester Counties, New York, filed

New York Order 1-C, covering poultry prices in New York, filed 10:49 a. m.

Philadelphia Order 1-F, Amendment 29, covering fresh fruits and vegetables in the city and county of Philadelphia, filed 10:50 8. m

Philadelphia Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 10:50

Philadelphia Order 3-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 10:50 a. m.

Philadelphia Order 22, Amendment 1, covering fresh eggs in certain counties in the State of Pennsylvania, filed 10:51 a.m.

Philadelphia Order 23, Amendment 1, covering fresh eggs in certain counties in the State of Pennsylvania, filed 10:51 a.m.
Philadelphia Order 24, Amendment 1, cov-

ering fresh eggs in Berks and Chester counties in the State of Pennsylvania, filed 10:51 a. m.

Philadelphia Order 25, Amendment 1, covering fresh eggs in Berks and Chester counties in the State of Pennsylvania, filed 10:51 a. m.

Syracuse Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain counties in the State of New York, filed 10:54 a. m.

Trenton Order 7-F, Amendment 7, covering fresh fruits and vegetables in Middlesex, Mercer and Monmouth counties in New Jersey, filed 10:54 a.m.

Trenton Order 18, covering poultry prices in certain counties in New Jersey, filed 10:55

Trenton Order 19, covering poultry prices in certain counties in New Jersey, filed 10:55

REGION III

Charleston Order 3-F, Amendment 45, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:55 a.m. Charleston Order 7-F, Amendment 31, cov-

ering fresh fruits and vegetables in certain

counties in West Virginia, filed 10:55 a. m. Charleston Order 8-F, Amendment 30, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:55 a. m.

Charleston Order 9-F, Amendment 30, covering fresh fruits and vegetables in Wayne and Cabell Counties in the State of West Virginia, filed 10:55 a. m.

Charleston Order 10-F, Amendment 28, covering fresh fruits and vegetables in cortain counties in the State of West Virginia, filed

Charleston Order 11-F, Amendment covering fresh fruits and vegetables in Morgan, Berkeley and Jefferson Counties, West Virginia, filed 10:57 a. m.

Charleston Order 13-F, Amendment 15, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:57

Cincinnati Order 2-F, Amendment 47, covering fresh fruits and vegetables in Clark, Montgomery and Scioto in Ohio, filed 10:49

a. m. Cincinnati Order 1-F, Amendment 54, covering fresh fruits and vegetables in Hamilton County in Ohio, filed 10:49 a. m.

Cleveland Order 30, Amendment 6, covering certain food items in Cleveland, Ohio,

filed 10:57 a. m. Columbus Order 3-F, Amendment 46, covering fresh fruits and vegetables in Columbus and Franklin in Ohio, filed 10:58 a. m.

Columbus Order 8, Amendment 15, covering community food prices in Columbus, Ohio, filed 9:45 a. m.

Columbus Order 9, Amendment 13, covering community food prices in Columbus, Ohio, filed 9:45 a. m.

Columbus Order 13, Amendment 1, covering community food prices in Columbus, Ohio, filed 9:42 a. m.

Columbus Order 13, Amendment 2, covering community food prices in Columbus,

Ohio, filed 9:43 a. m.
Columbus Order 13, Amendment 3, covering community food prices in Columbus, Ohio,

Columbus Order 14, Amendment 1, covering community food prices in Columbus, Ohio, filed 9:42 a. m.

Columbus Order 14, Amendment 2, covering community food prices in Columbus, Ohio, filed 9:43 a. m. Columbus Order 14, Amendment 3, covering

community food prices in Columbus, Ohio, filed 9:44 a. m. Columbus Order 3-W, Amendment 1, covering community food prices in Columbus,

Ohio, filed 9:44 a. m. Columbus Order 3-W, Amendment 2, covering community food prices in Columbus,

Ohio, filed 9:44 a. m.
Columbus Order 3-W, Amendment 3, covering community food prices in Columbus,

Ohio, filed 9:45 a. m. Columbus Order 4-W, Amendment 3, covering community food prices in Columbus,

Onio, filed 9:45 a. m.
Order 4-W, Amendment 1, covering community food prices in Columbus,

Ohio, filed 9:43 a.m.
Columbus Order 4-W, Amendment 2, covering community food prices in Columbus, Ohio, filed 9:44 a. m.

Escanaba Order 9-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:47 a. m.
Escanaba Order 10-F, Amendment 34,

covering fresh fruits and vegetables in Marquette county. Michigan area, filed 9:46 a. m.

Escanaba Order 11-F, Amendment 35, covering fresh fruits and vegetables in Delta counties in Michigan, filed 9:46 a. m.

Escanaba Order 12-F. Amendment 34, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:46 a. m.

Escanaba Order 13-F, Amendment 84, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:46 a.m.

Escanaba Order 14-F. Amendment 34, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:46 a. m. Escanaba Order 15-F, Amendment 34,

covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 9:46 a. m.

Escanaba Order 16-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:46 a.m. Escanaba Order 17-F, Amendment 33, cov-

ering fresh fruits and vegetables in certain counties in Michigan, filed 9:46 a, m.

Saginaw Order 2-F, Amendment 40, covering fresh fruits and vegetables in certain

counties in Michigan, filed 10:48 a. m.
Saginaw Order 2-F, Amendment 41, covering fresh fruits and vegetables in certain counties in Michigan, filed 10:48 a. m.
Saginaw Order 3-W, Amendment 3, cover-

ing community ceiling prices for dry groceries in the Saginaw area, filed 10:48 a.m. Saginaw Order 21, covering community ceil-

ing prices for certain dry groceries in Saginaw, filed 10:48 a. m.

# REGION IV

Atlanta Order 14, Amendment 3, covering community food prices in Atlanta, filed 9:47 a. m.

Atlanta Order 14, Amendment 4, covering community food prices in Atlanta, filed 9:41 a. m.

Atlanta Order 15, Amendment 3, covering community food prices in Atlanta, filed 9:47 a. m.

Atlanta Order 15, Amendment 4, covering community food prices in Atlanta, filed 9:41

Jacksonville Order 10-F, Amendment 2, covering fresh fruits and vegetables in cer-tain cities and towns in Florida, filed 9:47

Montgomery Order 21-F. Amendment 3. covering fresh fruits and vegetables in Mont-

gomery county, Alabama, filed 9:41 a. m. Savannah Order 7-F, Amendment 2, cover-ing fresh fruits and vegetables in certain counties in Georgia, filed 9:48 a.m.

Savannah Order &-F, Amendment 2, cover-ing fresh fruits and vegetables in certain counties in Georgia, filed 9:48 a. m.

Savannah Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:48 a. m.

Savannah Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:48 a.m.

Birmingham Order 3-W, covering community food prices for dry groceries in the North Alabama area, filed 9:49 a.m.

### REGION V

Houston Order 1-F, Amendment 29, covering fresh fruits and vegetables in Houston, Tex., filed 9:42 a.m.

Tex., filed 9:42 a.m.
Shreveport Order 2–F, amendment 38, covering fresh fruits and vegetables in Shreveport, I.a., filed 9:41 a.m.
Shreveport Order 3–F, Amendment 27, covering fresh fruits and vegetables in Shreveport, I.a., filed 9:41 a.m.

## REGION VIII

Phoenix Order 3-F, Amendment 43, covering fresh fruits and vegetables in the Phoenix area, filed 10:53 a.m.

Phoenix Order 4-F, Amendment 25, covering fresh fruits and vegetables in the Tucson area, filed 10:52 a.m.

Phoenix Order 4-F, Amendment 24, covering fresh fruits and vegetables in the Tucson area, filed 10:52 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

> ERVIN H. POLLACK. Secretary.

[F. R. Doc. 44-17132; Filed, Nov. 8, 1944; 11:44 a.m.]

[Region I Supp. Order 9 Under RMPR 122] NEW ENGLAND COKE CO.

### ADJUSTMENT OF MAXIMUM PRICES.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, It is hereby ordered, That:

(a) Dealers making sales of New England Coke subject to the Region I Orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order may increase the specific maximum prices for all sizes of New England Coke which are specifically priced in said orders (including, where applicable, those specific maximum prices as increased in accordance with Region I Supplementary Order No. 3 under Revised Maximum Price Regulation No. 122) by the following amounts:

	nts
Per net ton	20
Per ½ ton	10
Per ¼ ton	5
Units smaller than 1/4 ton, no increase.	

(b) Orders affected. The provisions of paragraph (a) above shall apply to the

following Region I Orders under Revised Maximum Price Regulation No. 122:

Order No.

G-11\_ Lawrence, Massachusetts Area. G-12\_ Haverhill, Massachusetts Area.

G-13\_ Lynn-Salem Area.

G-14\_ Lowell, Massachusetts Area. G-15\_ Manchester, New Hampshire Area.

G-16\_ Brockton, Massachusetts Area.

G-17\_ Taunton, Massachusetts Area.

G-19\_ Concord, New Hampshire Area. G-21\_ Nashua, New Hampshire Area.

G-22\_ Worcester, Massachusetts Area. G-23\_ Stoughton, Massachusetts Area.

G-25\_ Portland, Maine Area.

G-26\_ Portsmouth-Kittery Area.

G-28\_ Bangor, Maine Area. G-29\_ Lewiston-Auburn Area.

G-30\_ Augusta, Maine Area. G-31\_\_

G-31. Brunswick, Maine Area. G-32. Rockland, Maine Area.

G-33\_\_ Biddeford-Saco Area.

G-34\_\_ Bath, Maine Area.

G-35 Hampton-Seabrook Area.

G-36\_\_ Dover-Exeter Area.

G-38\_ Milford, Massachusetts Area.

G-40\_ Rutland, Vermont Area.
G-42\_ Bennington, Vermont Area.
G-45\_ White River Junction Area.

G-48\_ Brattleboro-Keene Area.

G-53\_ Bellows Falls Area.

G-58\_ St. Johnsbury, Vermont Area. G-60\_ Springfield-Claremont Area.

G-64\_ New Bedford, Massachusetts Area. G-66\_ Fitchburg, Massachusetts Area.

G-67.- Gardner, Massachusetts Area. G-68.- Fall River Area. G-69.- Southbridge, Massachusetts Area.

Subparagraphs of paragraph (o) of G-70:

(1) Appendix 1 .\_ Plymouth, New Hampshire Area

(2) Appendix 2 ... Greenfield, Massachusetts Area.

(9) Appendix 9 .\_ Metropolitan Boston Area.

(c) This Supplementary Order No. 9, which may be revoked, amended or corrected at any time, shall, unless sooner revoked or replaced, expire on April 30,

This Supplementary Order No. 9 shall become effective November 2, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of November 1944.

ELDON C. SHOUP, Regional Administrator.

[F. R. Doc. 44-17133; Filed, Nov. 8, 1944; 11:44 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-9561

GULF STATES UTILITIES CO.

ORDER RELEASING JURISDICTION AS TO LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of November 1944.

The Commission having, by its orders dated September 15, 1944 and September 23, 1944 issued in the above-entitled proceedings, reserved jurisdiction in respect of all legal fees and expenses to be paid in connection with the issuance and sale by Gulf States Utility Company of 120,-000 shares of Cumulative Dividend Prefered Stock, par \$100; and

Application having been made requesting release of jurisdiction as to the payment of the following fees and expenses: (a) \$15,183.72 to Mudge, Stern, Williams and Tucker, counsel for the issuer, \$2,588.58 to Baker, Botts, Andrews & Wharton, Texas counsel for the issuer, \$1,078.20 to Taylor, Porter, Brooks & Fuller, Louisiana counsel for the issuer. \$755.70 to Orgain, Carroll & Bell, Texas counsel for the issuer, all such amounts to be paid by the issuer, and (b) \$10,000 to Beekman & Bogue, independent counsel for the successful bidders, to be paid by the successful bidders; and

It appearing to the Commission that no adverse findings are required in respect of the proposed payments;

It is ordered, That jurisdiction be and it is hereby released with respect to the payment of said legal fees and expenses.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17104; Filed, Nov. 8, 1944; 11:01 a. m.]

[File No. 31-841

INTERNATIONAL UTILITIES CORP.

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of November, A. D. 1944.

International Utilities Corporation having filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 for an order extending until June 30, 1945, the exemptions, with the exception of the exemption from section 13 of the act, previously granted by orders dated June 12, 1941, June 29, 1943, and December 28, 1943, to the subsidiaries of its former subsidiary holding company, Dominion Gas & Electric Company, from certain provisions of the act applicable to them as subsidiary companies; and such subsidiaries now being direct subsidiaries of International Utilities Corporation as a result of merger of Dominion Gas & Electric Company into International Utilities Corporation pursuant to a plan or merger and recapitalization; and

A public hearing having been held after appropriate notice, the Commission having examined the record in this matter and having issued its opinion herein:

It is ordered, That the application for exemption pursuant to section 3 b) of the act be and the same hereby is granted to the extent that Canadian Western Natural Gas, Light, Heat and Power Company, Limited, Northwestern Utilities Company, Limited, Canadian Utilities, Limited, North West Fidelity Trust Company, Limited, Domalto Petroleum,

Limited, and Altoba Gas Exploration Company, Limited, Canadian subsidiaries of International Utilities Corporation, shall be exempt from the following provisions of the act:

(1) Section 6 of the act, except with

respect to

(a) The issue and sale of any security

within the United States;

(b) The exercise of any privilege or right to alter the priorities, preferences, voting power or any other rights of any holder of any security then held within the United States; and

(c) The sale, or offering for sale, or the causing to be sold, or offered for sale, within the United States, from house to house, or causing any officer or employee of any subsidiary company of International, to sell or cause to be sold, within the United States, securities of International or its subsidiaries.

(2) Section 9 of the act, except with respect to the acquisition of any utility assets located within the United States, or of any securities issued or guaranteed by any company incorporated and doing business in the United States or any other interest in any business within the

United States.

(3) Subsection (g) of section 11 of the act, except with respect to the solicitation within the United States of any proxy, consent, authorization, power of attorney, deposit or dissent in respect of any reorganization plan of such company.

(4) Subsection (b) of section 12 of the act, except with respect to extensions of credit to or indemnifications of associate companies which are subsidiaries of International conducting business within the United States.

(5) Subsection (c) of section 12 of the act, except with respect to the acquisition, retirement, or redemption of any security of such company then held with-

in the United States.

(6) Subsection (e) of section 12 of the act, except with respect to the solicitation within the United States of any proxy, power of attorney, consent or authorization regarding any security of such company.

(7) Subsections (f) and (g) of section 12 of the act, except with respect to transactions with associate companies which are subsidiaries of International conducting business within the United States and except to transactions with affiliates within the United States.

(8) Subdivision (2) of subsection (h) of section 12 of the act, except with respect to contributions to or in support of any political party within the United States or any committee or agency thereof.

(9) Section 15 of the act.

(10) Section 17 (c) of the act, except with respect to such of the persons enumerated therein who are citizens and residents of the United States.

It is jurther ordered, That the exemption herein granted shall expire on June 30, 1945, without prejudice to the right of such companies to apply for an extension of the time during which this order shall be effective and also without prejudice to the right of such companies

to apply at any time for such enlargement of any of the provisions of this order as they may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17103; Filed, Nov. 8, 1944; 11:02 a. m.]

[File No. 31-514]

SEATTLE GAS CO.

ORDER CONSENTING TO WITHDRAWAL OF

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of November 1944.

Seattle Gas Company having filed with this Commission an application for exemption pursuant to section 2 (a) (8) of the Public Utility Holding Company Act of 1935 requesting the entry of an order declaring applicant not to be a subsidiary company of Portland General Electric Company, a registered holding company; and

Seattle Gas Company having requested permission to withdraw said application for exemption as a subsidiary company;

and

The Commission having considered the request and it appearing that the withdrawal of the application is consistent with the public interest:

It is ordered, That Seattle Gas Company be, and is hereby permitted to withdraw said application, and that said application be, and it is hereby deemed withdrawn.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17105; Filed, Nov. 8, 1944; 11:02 a. m.]

# WAR MANPOWER COMMISSION.

RADFORD-PULASKI, VA.

MINIMUM WARTIME WORKWEEK

Designation of the Radford-Pulaski, Va. area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by \$ 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Radford-Pulaski, Va. area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Radford-Pulaski, Va. area shall include:

Pulaski County.

Bland County.

Wythe County.

Montgomery County. Giles County Floyd County.

2. The effective date of this designation is November 1, 1944.

3. Not later than the effective date, each employer in the Radford-Pulaski, Va. area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the re-

lease of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 1, 1944.

HENRY E. TREIDE, Regional Director.

[F. R. Doc. 44-17095; Filed, Nov. 7, 1944, 12:29 p. m.]

## WAR PRODUCTION BOARD.

[C-224]

RUSSELL W. PEDDICORD

CONSENT ORDER

Russell W. Peddicord, 400 East Woodburn Avenue, Dayton, Ohio, on September 17, 1942, received authority on War Production Board Preference Rating Order P-110 to remodel his residence at the above address and to add three and one-half rooms thereto. This authorization, expiring on January 18, 1943, was limited in the purchase of critical materials to the amount of \$342.59, and to a total expenditure of \$350.00. The construction work, including a garage, commenced on or about September 18, 1942, and continued thereafter at an estimated cost of \$3,565.51, up to the time that further work was stopped by a telegram from the War Production Board on August 18, 1944. All of this construction in excess of \$350.00 was without authority or approval of the War Production Board, and in violation of Conservation Order L-41, which limited the amount of such construction to \$200.00.

Russell W. Peddicord admits the violation and has consented to the issuance of this order, but denies that it was wilful but due to a misinterpretation of the order.

Wherefore, upon the agreement and consent of Russell W. Peddicord, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, It is

hereby ordered, That:
(a) Neither Russell W. Peddicord, his successors or assigns, nor any other person, shall do any construction on the premises owned by him and located at 400 East Woodburn Avenue, Dayton, Ohio, including putting up or altering the structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Russell W. Peddicord, his successors or assigns, from any restrictions, prohibition or provision contained in any other order or regula-tion of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 6th day of November 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17036; Filed, Nov. 6, 1944; 3:43 p. m.]